CONFORMITY
OF THE
ECCLESIASTICAL DISCIPLINE
OF THE
Reformed Churches
OF
FRANCE.
With that of the
PRIMITIVE CHRISTIANS.

Written by M. LA ROCQUE, Minister of *Quevilly* near *Rouen*. With his Learned Commentaries on each ARTICLE.

Render'd into *English* by *JOS. WALKER.*

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MDCXCI.

LICENS'D,

August 10. 1691.

J. FRASER.

To the Truly Honoured *CHARLES STAYNINGS*, Esq; Of *Honycault* in *Somersetshire*.

SIR,

WHen one enters your Neat Habitation, which for Conveniencies bear parallel with the proudest Palaces, there appears a Scene of sundry Varieties. A *Cambden*, or *Dugdale*, would be requisite to display the Antiquities of the many Honourable Families whereunto yours is related by Affinity and Marriage; out of which Alliances, has issued several who have been Famous in their Generations for their Heroick Actions in Peace and War; which laudable Qualities have always been conspicuous in your self, *Sir*: Your Love of Learning, and happy Familiarity and Intimacy with the Muses; your constant Courtesie and Hospitality to Strangers, and all your Friends and Acquaintance, (which I have several times personally Experimented) as also your uninterrupted Love and Zeal for the Honour

of God, and the good and ſafety of your Countrey, (for which you have more than once Buckled on your Armour, and appeared in the Field of *Mars*) makes you, like another *Veſpaſian*, to be the delight of all that are happy in your acquaintance.

You have heretofore, *Sir*, been pleaſed favourably to accept and approve ſome of my weak Eſſays, when I had the Honour of Living in your Neighbourhood, near the famous Orchard *Wyndham*; and knowing your deference for Priſtine Learning and Purity, I thought the Dedicating to you a Piece of that Nature and Stamp, would not be excluded your Society, and a place amongſt the Venerable Fathers and Councils near your Chappel, in your Library. God has bleſs'd us with another King *David* to Fight our Battels, and a Venerable * *Jehojada* to Rule our Church; ſo that I hope Peace and Truth will revive and flouriſh in our Days, which is the hearty deſire of,

*HisGrace Dr. *Tillotſon*, Arch-Biſhop of *Canterbury*.

Dear *SIR*,

Covent-Garden, *Octob.* 25. 1691.

Your ever bounden Friend, and Moſt Humble Servant,

JOS. WALKER.

To the MINISTERS and ELDERS of the CONSISTORY which meet at *Be'gle* near *Bourdeaux.*

Gentlemen, and much Honoured Brothers,

ALthough I have undertaken this Work for the Edification of all our Churches; nevertheleſs I offer it to you in particular, as a teſtimony of my due reſentments for the Honour you formerly did me in inviting me to you. I ſhould willingly have imbraced your offer, if my Conſcience could have diſpenced with it; for beſides that the Employment had been honourable and profitable to me, it would have drawn me alſo a little nearer to my own Country, for which I ſtill retain an Inclination. But the Providence of God, which orders our Perſons and Affairs as he pleaſes, having other ways diſpos'd of my Miniſtry, beſtowing it on a Church where I found a ſecond Native Countrey, by the marks of kindneſs I daily receiv'd of the goodneſs of thoſe whereof it is compos'd; I loſe by little and little the hopes of ever ſeeing my Native Countrey, and by conſequence, of aſſuring you by word of mouth, the true ſentiments of my heart. But Gentlemen, if I am at a diſtance from you in Body, I deſire you to be aſſured, that I am preſent with you in Spirit, ſeeing you

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are always in my remembrance, and that I ſhall ever ardently beſeech God, that he will generally and in particular beſtow on you his bleſſings: Moreover, the Work which I preſent to you, will doubtleſs adminiſter to you joy and comfort, in manifeſting the Antiquity of the Diſcipline under whoſe Maxims you live; for as it ſcatters the falſe Aſperſions of Novelty wherewith we are branded, and the unjuſt reproaches wherewith you are dayly accus'd; you will therein find ſuch lively Marks and Characters of the Diſcipline of the Ancient Chriſtians, that you will bleſs God for ſeeing that your Fathers have walked ſo Religiouſly in that, as well as in the Doctrine which their Anceſtors had profeſſed, that is to ſay, of thoſe which had lived in the pureſt and happieſt Ages of Chriſtianity. And indeed, if you pleaſe to give your ſelves the trouble to compare together theſe two Diſciplines, you will ſoon find they are Children of one Father, productions of the ſame Spirit; and that drawing their Original from Heaven, it is alſo their ſcope to direct men to Heaven, in building them up in Sanctification and Holineſs. After which, let men, if they pleaſe, blame your Eccleſiaſtical Policy; hence-forwards you will have ſufficient ground to ſtop the mouth of Envy, and wherewithal to confound thoſe which endeavour to cenſure it. To juſtifie it, 'twill be enough to ſhew the Conformity there is betwixt it and that of the Primitive Church; and this you may eaſily do, be-

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cauſe I think I have ſo fully evinced this reſemblance, that it will be viſible to all thoſe who will read this Treatiſe with an unbiaſs'd mind, and that are not prepoſſeſs'd with malice againſt us. As for us, Gentlemen, let us faithfully keep the holy truſt our Fathers have tranſmitted to us; let us diligently exerciſe this Diſcipline, and carefully practiſe it; but eſpecially let us to our power conform to the Exerciſe of theſe Precepts by the Holineſs of our Lives, and the purity of our Actions; this will be the ready way of baffling the many Volumes that attack your Morals; and ſhew to all the World, that theſe Inſtructions have no other ſcope but Juſtice and Piety. Actions are of greater demonſtration than Words; and the Arguments drawn from Practice, are more convincing than thoſe that are borrowed from Diſcourſe. It was never better proved, That there was motion in Nature, than it was done by the Philoſopher, that walked about to convince him that deni'd it. We cannot better juſtifie the purity of the Maxims of our Morals and Diſcipline, than in living well; ſeeing 'tis very difficult, if not impoſſible, to live well under Maſters which only teach Debauchery, and that ingage perſons in Extravagance. Thoſe who pleaſe to look on your Society, will be convinced of what I ſay, when they ſhall ſee in your wiſe conduct, to ſhine forth the marks and effects of the innocency of your Diſcipline, and the equity of its Maxims and Laws. I hope you will favourably accept

cept this Book which I Dedicate to you, seeing its chiefest aim is to shew, That 'tis the same with the Discipline of the Primitive Christians, for which all have so much respect and veneration. The Father of Lights, from whom comes every good and perfect gift, be pleas'd to establish you more and more in his Love, abundantly bless your persons, preserve the Flock committed to your care, and cause therein all Christian Vertues to abound, to the end that you may be a pattern to others, and that your Faith and Piety may be renowned through all the Churches. These are the ardent Prayers that are made for you all, by

Gentlemen and Honoured Brethren,

Rouen 24°. June 1678.

Your most humble Servant and Brother in Christ Jesus,

M. La Rocque.

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THE AUTHOR'S PREFACE.

WHat Laws are in a State, the ſame things are Canons in the Church: All Societies of Men, as well Civil as Sacred, have always ſtood in need of ſome Rules for the conduct of thoſe whereof it is compoſed, and under their direction to attain the deſigned end, which is pleaſure of life, with the repoſe of Conſcience, and tranquility of Mind. Man ought of his own free will be inclined to the obedience of theſe, in the main proſpect of the pleaſure there is in doing his Duty, and in the delight which is to be found in the practiſe of Vertue; beſides that in ſo doing, depends the happineſs all men ſeek after, but which few do find, becauſe they ſeek amiſs. Nevertheleſs, according to the manner we are made, it's neceſſary we ſhould be excited by other motives, and be ſet a work by other principles; theſe Motives are, Fear of puniſhment, and Hope of rewards; the two great ſprings that give motion, if it may be ſo ſaid, to the whole world, and which do powerfully ingage men to eſchew evil, and do good. Legiſlators have alſo employ'd it in the world; the Apoſtles, and their Succeſſors, in the Church; and God himſelf made uſe of it in regard of *Adam*, promiſing him Life and Immortality, if he continued faithful and obedient to him; and on the contrary, threatning him with death, if he were ſo fooliſh as to neglect the keeping his Commands, and violate the purity of his Laws: *In the day thou eateſt the fruit of the tree of knowledge of good and evil, thou ſhalt die the death.*

Man being a reasonable Creature, it was suitable to God's wisdom to give him Laws to serve as a Rule and direction through the whole course of his life; therefore he had no sooner created him, but he imprinted in his heart those instructions which we call the Law of Nature, the Exercise whereof was to constitute his joy and felicity; so that had he always persever'd in his innocence, he would not have stood in need of Judges, nor of their Tribunals; his conscience would have been sufficient for him; its counsels would ever have been safe, its decisions just and right, and all its Ordinances would have tended to the practise of this important maxim of the Son of God, which he drew from the very spring of Nature it self, *not to do to others, but what we would they should do to us.*

But sin having interrupted this Oeconomy, and darkned the Lights which attended it, all these directions of Nature have been ineffectual, and these Instructions of no value. Nevertheless 'tis certain, God preserved in Man after his fall, or at least he stirred up in him anew, by the efficacy of his Providence, some little remains of that clear and pure light wherewith the understanding had been illuminated when 'twas immediately made by his hand; and thence it is that all men have the common and general Notions, That there is one God; That he governs all things; That he punishes the wicked, and rewards the good; That to honour him, is a Law that's allowed amongst all men; And that he must not only be thought to be immortal and blessed, but also to be a Lover of Mankind, of whose preservation he takes particular care, in daily doing them good; it was thereby that the Inhabitants of the Isle of *Maltha* concluded St. *Paul* was a Murderer; they said, when they saw a Viper on his hand, *Divine Vengeance followed him, and would suffer him to live*

Act. 28.3.

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no longer. It is alſo from this principle proceeded the knowledg the Apoſtle attributed to the Gentiles, when he ſaith, *For when the Gentiles which have not the Law, do by nature the things contain'd in the law; theſe having not the law, are a law unto themſelves, which ſhew the work of the law written in their hearts, their conſcience alſo bearing witneſs, and their thoughts in the mean while accuſing, or elſe excuſing one another.* Rom. 2. 14, 15.

But at length Sin having almoſt extinguiſhed the light of Nature, and made all its inſtructions unprofitable, God was obliged to renew the knowledg of it, by publiſhing his Law, which in ſubſtance contains the ſame precepts as thoſe did which God had writ at firſt in the heart of Men; and ſeeing the greater corruption is, ſo much the more need there is to multiply Laws to reſtrain its impetuoſity and violence, and ſo hinder its ſpreading and exceſs; God, who knew very well the inclination of the people of the *Jews*, which were a people of a ſtiff neck, and uncircumciſed heart, as the Scripture ſpeaks; a people inclined to diſobedience and rebellion; God, I ſay, not content to divulge the Moral Law, he thereunto joyned the Ceremonial and Political Laws, to the end the *Iſraelites* ſhould the eaſier be retain'd in their duty, under the heavy yoke of this ſevere Diſcipline.

Thence it followed by the Rule of contraries, That the more Sanctification is advanced, the leſs need there is of Laws; which made St. *Paul* ſay, That the Law is not made for the juſt, but for the Sinners and wicked. The firſt Chriſtians had but very few Deciſions and Decrees in their Diſcipline, becauſe being full of Piety and Zeal, and that labouring with unſpeakable diligence in the work of their Sanctification, they diſpoſed themſelves voluntarily according to the nature of the Goſpel, and intention of Jeſus Chriſt, and conſcionably practiſing

the Maxim of the Apoſtle, *That all things ſhould be done decently and in order, in the Church of God*; they with eaſe were guided by the Divine motions of Grace, and the inſpirations of that holy Spirit which God had ſo plentifully, and in great meaſure poured forth on his Church in the firſt Eſtabliſhing of Chriſtian Religion; for as to the Canons attributed to the Apoſtles, and the Conſtitutions which alſo go in their name, they are things forged in the following Ages; and after this new people had began to degenerate from the firſt heat of their zeal, and that they had given ſome check to the innocence of their life, and to the purity of their Manners; and as corruption inſenſibly got ground; ſo alſo was ſeen to increaſe, the number of Canons and Ordinances; for it commonly happens, that ill actions do multiply good Laws, without which it would be impoſſible to make head againſt the many Scandals that licentiouſneſs does introduce where it predominates, and where ſins are not repreſſed and puniſhed.

Something of this kind hapned in our Reformation, which had a great reſemblance with the firſt Eſtabliſhment of Chriſtian Religion; for it may truly be ſaid, that by a particular bleſſing of Heaven, the firſt Reformers were ſo holy in their life, ſo pure in their converſation, ſo wiſe in their conduct, ſo modeſt in their words, and ſo humble in their actions, that all their ſtudy and care tended only to Piety and Virtue, without being needful to incline them to it by any great number of Rules; ſo alſo their Diſcipline at firſt conſiſted in forty little Articles, which were compoſed by the firſt National Synod held at *Paris*, in the year 1559; whereas that we have at this time, contain'd in 14. Chapters, 222. Articles, much more large and ample than the firſt.

The Reaſon of this difference, proceeds from the change which in time hapned to thoſe that liv'd in our Com-

Communion, and that were Members of our Churches; had they always followed the ſteps of their Anceſtors, and that they had been faithful Repreſentatives of their Innocence, and of their purity, they would have ſtood in need but of very few Rules; becauſe the only love of Virtue, would have ſeaſoned all their actions, animated all their motions, mortified their paſſions and deſires, and lighted in their Souls a Divine flame, which would have raiſed their thoughts from Earth to Heaven, and the which in ſnatching them by a holy violence from the love of the Creatures, would inſeparably have faſtned them to the love of the Creator.

But becauſe there is always ſome remains of Man in Man, and that the fleſh too often prevails over the ſpirit; they by little and little degenerated from the zeal of their Fathers, and their piety inſenſibly falling into extream coldneſs, they ſuffered themſelves to fall into many defects, which diſhonoured the Holineſs of their Profeſſion, and which obliged their Guides to increaſe from time to time, the number of Laws, to reſtrain by the authority of thoſe Ordinances the courſe of their diſorders, and to ſtop the ſpring of thoſe abuſes; wherein they wiſely followed the conduct of the Primitive Fathers, who ſeeing a great negligence in the lives of Chriſtians, added to their Conſtitutions new Decrees, proportionable as the Sins of Men gave them matter and occaſion; knowing well, that 'twas the only means to preſerve in its purity, a Religion which had been cemented by the blood of Jeſus Chriſt, and conſecrated by his Spirit.

In concluſion, How large ſoever our Diſcipline at this time may be, and how much ſoever is increaſed the number of its Canons, I dare boldly ſay, That never was a better Diſcipline; and that there was never ſeen an Ecleſiaſtical

cleſiaſtical Policy, more judiciouſly compoſed, than it is; if one take the pains to read it without prejudice, one ſhall agree to this truth; and unleſs one be extreamly prepoſſeſt with prejudice againſt it, it muſt be granted, that the Conſtitutions are juſt, that the Rules are holy, and that all the Decrees have no other aim but the glory of God, and the holineſs of thoſe which ſubmit themſelves to the keeping of his Laws; all the parts of this body anſwer one the other; they march an equal pace, and agree all to the ſame end; the form of Government which it preſcribes, is indeed very ſimple, but it is Evangelical; the order it will have one follow, is full of exactneſs; and if the Government it eſtabliſhes, is far from ſplendor and pomp, it is wholly bedew'd in juſtice and equity. In a word, All that's contain'd in it, was ſetled with a ſpirit of love and ſweetneſs.

After all this, what is there can be blam'd in this Diſcipline? Is it the Eſtabliſhment of its Miniſters? But there muſt be ſuch to inſtruct the people. Is it the manner of their Eſtabliſhment? But it is conformable to that which was obſerved in the Primitive Church. Is it the qualities which is deſired to be in them? But they are the very ſame which St. *Paul* requires in thoſe which conſecrate themſelves to the holy Miniſtry. Is it the Duties whereunto they are obliged? But in this alſo is followed the precepts of the ſame Apoſtle, ſeeing they are obliged to preach the Word of God, to adminiſter the Sacraments which he has inſtituted, to live unblameably, to be an Example to their Flock in word and actions, to edifie them by their Sermons, and by their Example, under pain of great Cenſures to thoſe which do not diſcharge themſelves as they ought of theſe juſt Duties, even to the ſuſpending and depoſing thoſe which commit Scandalous offences, and ſuch as deſerve ſuſpenſion and depoſition.

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Shall our Schools be condemn'd? But the uſe of them is too ancient, and too neceſſary; for 'tis convenient to inſtruct youth, and teach them with care, that they may one day be fit inſtruments in the hand of God for the propagating his truth, and for eſtabliſhing the Kingdom of his Son.

If any carp at our Conſiſtories; it ſhall be made appear, that from the beginning there was in every Church an Eccleſiaſtical Senate, which informed themſelves of all which concerned the good and edification of the Flock.

If any quarrel at our Lay-Church Elders, we will make appear, that their Inſtitution is almoſt as ancient as the ſetling of Chriſtianity; and that the Primitive Church having uſed it ſucceſsfully ſeveral Ages, we alſo make uſe of it with much utility, according to its example.

As for Deacons, all the world knows they were inſtituted by the Apoſtles, and amongſt us they anſwer very well to the deſign of their Inſtitution; for they take care of the Poor, and diſtribute to them the gifts and charity of good people, as their true Patrimony.

As to the Union of the Churches, St. *Paul* declares ſufficiently of what importance it is, when he exhorts us to *keep the unity of the ſpirit in the bond of peace, and to be one body and one ſpirit, as being called to the hope of one and the ſame vocation.* The ancient Doctors have recommended nothing with more care than this holy union; nor cenſur'd any thing with more ardor and zeal, than the Diviſions and Schiſms which divide the Church, and tear to pieces the ſeamleſs Coat of our Lord Jeſus.

Our Colloquies are nothing elſe in effect, but Aſſemblies of Miniſters and Elders of ſome certain Aſſociation, or part of a Country, deputed by their Churches to deliberate all together of Affairs which offer, and do concern

cern the quiet and comfort of thoſe which ſent them; ſo that they cannot be condemned without cenſuring at the ſame time, the Synods which are called Dioceſan, to which they have no little reſemblance.

Who can find any fault with our Provincial and National Synods, ſeeing they are grounded on the practice of the Primitive Church, and on the authority of the Canons which ſo frequently recommend the holding and calling of them.

One muſt be very ill humoured to blame what we do in our Aſſemblies, all the holy Exerciſes whereof conſiſt in Invocating the Name of God, in Singing of Pſalms, in Preaching his Word, and in the adminiſtring the Sacraments.

Theſe Sacraments being the Seals of his Covenant, and Symbols of our Redemption, they cannot be Celebrated with too great reſpect, nor too much reverence cannot be ſhewn when they are adminiſter'd; and 'tis this reſpect and reverence which has been endeavoured to be inſpir'd in Believers amongſt us, by the directions which has been made about the adminiſtration of Baptiſm, and the Celebration of the Lord's Supper.

There has no leſs care been had in preſerving the Holineſs of Matrimony, from whence has been removed all manner of filthineſs and impurity, and all imaginable precaution uſed to render it legitimate.

To conclude, As for the Advertiſements which regard particular perſons, it has been made known to all the world, that nothing elſe was intended but to diſpoſe Chriſtians to Piety and Holineſs, and generally to all Virtues, which are worthy the name they bear, and of the Religion they profeſs.

Behold here the ſubſtance of our Diſcipline, which how innocent ſoever it be, nevertheleſs has found adverſaries,

ſaries, who being animated with a ſpirit contrary to that of Chriſtianity, have traduc'd it, and ſtill daily rail againſt it, declaiming againſt it in their Pulpits, endeavour to render it odious, by the calumnies they accuſe it of, and by the unjuſt reproaches they load it with; as if thoſe which compoſed it, and which have reduced it to the form wherein we find it, had no other deſign but to open the door to Licentiouſneſs, to foment Vice, and to incourage Debauchery and Exceſs; but let them ſay what they liſt, God which bringeth to light the ſecrets of all hearts, will be the Judge of our Innocence, and will one day cover with confuſion and ſhame, thoſe which ſo cruelly cenſure and injure us.

Nevertheleſs, I truſt, with the bleſſing of his Grace, that the reading of this Treatiſe will better inform them, and that finding therein an intire Conformity betwixt our Diſcipline, and that of the Primitive Chriſtians, they ſhall be forc'd to change their notes, leſt that condemning the one, they alſo condemn the other; they reſemble one another too much, not to approve, and like of both. 'Tis true, that the better to diſcern this reſemblance, Conſcience muſt be conſulted, ſilence muſt be impoſed on the Paſſions, and all prejudice, which blinds our ſight, and darkens our judgment, muſt be laid aſide; by this means the Conformity here propoſed will be eaſily diſcerned; and having diſcovered it, they will declare for us; for there would be no reaſon to make that paſs for blaſphemy in our mouths which was eſteemed Oracles in the mouth of the ancient Fathers, neither to reject this rule of our conduct, ſeeing it is the ſame that theirs was.

It is what I undertake to prove in this Book; and to make the thing the more evident, I have examined from firſt to laſt, all the Articles one after another, that none

might think I had a design to cast a mist over the Eyes of the Readers, in establishing a Conformity in too large and general a way; and that to save the credit of our Discipline, I would not descend to a particular search and examination. In effect, the first thing I do is to produce the Text of each Article, then I cite the Decrees of Councils and Testimonies of Fathers, as much as may be necessary to justifie the resemblance which is in dispute; from this Article I pass to another, and so go on unto the last; and I can say with a safe Conscience, that in this work I have not used fraud nor artifice, that there will be seen throughout the whole Book a great deal of plainness, and if in some parts more of art and skill be required, I am perswaded that there never will be cause to desire more of fidelity; because I had so particular a view of resembling these two Disciplines, and to represent so plainly the features and lineaments, that the one might easily be taken for the other, as it often happens to two Twins, and to find in ours a true Copy of the Prototype, and of the true Original.

Moreover, I warn the Reader, that having done as I have now mention'd, nevertheless I have dispensed my self in reciting at large all that I alledg of Antiquity, fearing to deform the Edition; because the whole Work is but a continued tissue of Canons and Testimonies; therefore I have only done it when I thought it necessary, and in those places which absolutely requir'd it. Secondly, The Reader may take notice, I do not always write the whole Decrees, but just what relates to the matter I examine, reserving the rest for clearing some other Article, if it be proper for it. And to conclude, In the things which are evident, and approv'd of all, I have not oblig'd my self exactly, in all places, to cite the proper terms of Authors, but just the sense and substance; which

which nevertheleſs, I have done in ſuch a way, that none will have cauſe to blame my Conduct, if they will pleaſe to compare with the Originals, what I have tranſcribed.

Although what I have hitherto writ be more than ſufficient to ſtop the mouth of Calumny, and to juſtifie our Eccleſiaſtical Government; nevertheleſs there are ſome ſuch untoward and croſs ſpirits, and withal ſo full of prejudice againſt us, that they make paſs for Criminal, the things which are moſt innocent; and eaſily condemn what is well worthy the Eſteem and Love of the beſt of Men: For inſtance, If we forbid Dancing, Comedies, the Play of Hazard, Mummeries, the liberties of *Shrovetide* Carnivals, and other Follies of this kind, They ſay we are Leaders of the blind; and they injuriouſly compare us to thoſe Hypocrites in the Goſpel, to whom our Saviour ſays, *They ſtrain at a Gnat, and ſwallow a Camel*; never conſidering that in acting after this manner, they leſſen the Glory of the Fathers, which have ſo highly reproved the ſame things, and pronounced ſevere Cenſures againſt all thoſe which allowed themſelves in theſe worldly pleaſures; were they not blinded with prejudice, they would ſpeak after another manner, and they would infer from the ſeverity of theſe Laws, That thoſe which made them, were guided by the Spirit of God, which inſpir'd them with ſo great a Love to Virtue, and ſo great a Hatred to Vice, That they forbid thoſe which lived under their Authority and Conduct, the uſe of thoſe things which were capable to infect the purity of their Lives, and to ſtop the courſe of their Piety and Sanctification.

But the Cenſurers of our Diſcipline ſtop not there; they pretend, it favours *Libertiniſme*, becauſe it permits thoſe which ſeparate for the cauſe of Adultery, to Marry

ſome other perſon; and it may be ſaid, That this ſole Article opens to the Preachers of the *Roman* Church, a wide Field to declaim againſt us; and that they take occaſion, or rather a pretext, to accuſe us, as if we were favourers of Vice, and enemies of Virtue: There are alſo amongſt them perſons conſiderable for the Rank they bear, which treat us with no leſs injuſtice, for that having but little or no knowledg of the Ancient Diſcipline of Chriſtians, they imagine it was no way different from that which they at this time follow; and on this wrong ground, they look on them as *Libertines*, which teach that the band of Marriage may be broke by reaſon of Adultery; nevertheleſs 'tis the Doctrine of JeſusChriſt, who formally declares in the Goſpel, That 'tis only for Adultery that Marriage may be diſſolv'd, as well to the Bed, as the Obligation. I know, St. *Auſtin*, and ſome others, have found difficulty in the explication of the Words of our Saviour, and that they could not fully reſolve to explain them in the manner I juſt now mention'd; at leaſt St. *Auſtin* confeſſes in ſeveral places of his Writings, That the Queſtion concerning the Diſſolving of Marriages for cauſe of Adultery, is very obſcure and difficult, and is, what made him write on this matter things, which would ſeem contradictory, if one did not diſtinguiſh the times wherein he applied himſelf to write on this queſtion.

For it is moſt certain, in what he wrote before the 2d Council of *Mileva*, which was held in the year of our Lord 416. he appear'd unreſolv'd and undetermin'd, finding great difficulties, obſtructions almoſt impaſſible, and depths not eaſily to be fathomed; thoſe that will pleaſe to take the pains to ſee what he writes in the 3d Chapter of his Book againſt *Adimentius*, in the 7th of the Book touching the Comfort of Marriage, in the 8th.

8th and 25th Chapters of the 1ſt Book of Adulterous Marriages, that is to ſay, of Marriages diſhonoured by Adultery, and joyn to theſe Teſtimonies which are in the 6th *Tome*, thoſe others which are in the 4th, to wit, The 19th Chapter of the Book of Faith and Works, the laſt Queſtion of the Book of 83 Queſtions, and the 16th Chapter of the firſt Book of the Sermon of our Lord on the Mount; thoſe I ſay, which will take the pains to read all theſe places which I have inſtanc'd, will agree to the irreſolution and trouble St. *Auſtin* was in, on the ſubject now ſpoke of, and eſpecially if they conſider the ſincere Confeſſion which he makes in one of the places I have cited; *Having*, ſaith he, *thus Treated and Examin'd theſe things according to my capacity, I am not ignorant that the Queſtion touching Marriages, is very obſcure and difficult, and I do not dare to ſay that I have yet explained in this Work, nor that I am able, if you preſs me, to reſolve hereafter, in any other, all the difficulties which accompany it.* He confeſſes the ſame thing, although in terms a little different, in recalling the Books wherein is found the Teſtimony which juſtifies what I have alledged of his doubtfulneſs, and declares with his uſual humility, That he don't think to have given to this Matter, all the clearneſs it requires. Lib. 1. de Adult. Conjug. cap 25. Tom. 6. Lib. 2. Retract. cap. 57. Tom. 1.

After this Council of *Mileva*, this Holy Doctor wrote ſeveral Treatiſes, wherein he explains himſelf more fully than he had done in the others; for inſtance, In the 19th Chapter of the firſt Book of Retractaions, he ſaith, *That 'tis out of doubt, that one may leave his Wife for the Fornication which is committed in Adultery.*

In his 89th Letter to *Hillarius*, Queſt. 4. He confeſſes, *That by the Laws of Jeſus Chriſt, it is not permitted to leave one's Wife but for the cauſe of Adultery, and that Jeſus Chriſt forbid to put her away for any other Cauſe but* Tom. 2.

for

for Adultery; And in the 9th Treatiſe upon St. *John*, Tom. 9. *It is permitted to put away the Wife for the cauſe of Adultery, becauſe ſhe has firſt refuſed to be a Wife, in not keeping her vow of Wedlock to her Husband.* To judge of the mind of St. *Auſtin* by theſe latter Teſtimonies, which are more formal and poſitive than the former; it may be concluded, That he believed having well examin'd the matter, that the band of Marriage was broke by Adultery: Nevertheleſs, becauſe that in the other writings he could not ſatisfy himſelf, nor clear all their difficulties wherewith this queſtion ſeem'd to be always incumbred, I would not make uſe of His Authority, for Eſtabliſhing the Conformity of our Diſcipline with that of the Primitive Chriſtians.

This Council of *Mileva* above-mention'd, forbids in the 17th of its Canons, which is the 102. in the *African* Code, it forbids him that is repudiated by his Wife, and to the Woman put off by the Husband, to re-marry themſelves to any one elſe, and enjoyns them to live ſingle, or to be reconcil'd again, threatning to put them into the number of Penitents if they diſobey this Decree, which the Fathers of the Synod pretend to be conformable to the Evangelical and Apoſtolical Diſcipline; But in the firſt place, they do not declare whether they ſpeak of a ſeparation occaſion'd by Adultery, or by ſome other cauſe, for the which Jeſus Chriſt don't permit of Separation. Secondly, The Conduct of St. *Auſtin* who aſſiſted at this Council, makes me ſuppoſe, that either the Fathers of *Mileva* ſpake of Divorces beſides for the Cauſe of Adultery, or at leaſt if they regarded Divorces grounded upon Adultery, St. *Auſtin* did not forbear Writing after the Convocation of this Aſſembly, That 'tis permitted to put away the Wife for the matter of Adultery. Thirdly, When the Council it ſelf with ſome

ſome other Doctors ſhould more fully explain themſelves, and that they ſhould have formally condemn'd the ſecond Marriage of thoſe which had been put away for Adultery, it would not from thence follow, that I have not made appear that our Diſcipline does not ſuffer in this occaſion, only what the Ancient Chriſtian Diſcipline of the Church ſuffered, ſeeing I have proved it by the Canons of divers Councils, by the Decrees of ſome Popes in their Synods, and by the practice of all the *Greek* Church, a practice which the Council of *Trent* dared not to condemn, after the Remonſtrances made by the Ambaſſador of *Venice*.

And yet farther, It is what a famous Doctor of the Communion of *Rome* has fully juſtified, without thinking of us, nor the innocency of our Conduct on the point in Controverſy, in a Book which he publiſhed two or three years ago, touching the power of Kings and Sovereigns over Marriages; for in the 3d Part, Art. 1. Chap. 5, he hath at large repreſented to the Reader, the Tradition of the Church on the matter of Marriages occaſion'd by Adultery, whereas I have contented my ſelf to relate in my Work, what is moſt definitive in the Tradition, and leaſt of all ſubject to Controverſy and Conteſtation. Whatever's the matter, after ſo many explanations, there is hope to believe, That Men will not for the future cry ſo much againſt this Article of our Diſcipline, which has given occaſion to our Enemies to accuſe us of favouring Vice and Libertiniſme.

I could, if it were needful, mention other Cavils of ſome leſſer Diſputers againſt the Holineſs of our Eccleſiaſtical Laws, which they have ſpoke very injuriouſly of, as if they were directly contrary to the Rules of the firſt Chriſtians, and as if thoſe which made them, had

taken

taken pleaſure quite to forſake its uſe and practiſe; but 'tis much better to refer to the reader the liberty of judging of our innocence when he ſhall have Read the whole Treatiſe; for beſides that I cannot refute theſe injuries and ſlanders, without diſcovering perſons who have lately been forward this way, unleſs I would write a Volume, and not a Preface, would I undertake to anſwer particularly to all the falſe accuſations which they have alledged to render our Religion odious, in cenſuring our Diſcipline.

Laying therefore apart theſe unjuſt Accuſers, 'tis needful, before ending this Preface, that I ſpeak a little of ſome others whoſe Learning and Reputation is better known and grounded, and yet nevertheleſs, going by a falſe Zeal, or by ſome other motive unknown to me, treading in the ſteps of the others, do no leſs cruelly devour us; I ſpeak of thoſe Gentlemen which accuſe us of overthrowing the Morals of Jeſus Chriſt by certain Doctrines which we teach; an unjuſt accuſation, if ever there was one; for if we deſtroyed the Sanctity of the Goſpel, it muſt needs follow of neceſſity, that that which we follow, muſt be pernicious; And how can it be that our Morals ſhould be corrupt, ſeeing it produceth a Holy Diſcipline, whoſe Rules and Directions are ſo many marks of the Maxims of true Morality; I will not be the Judge, I deſire they would only read what I have writ to prove the reſemblance of our Diſcipline with that of the Ancient Churches, and I am perſwaded that reading it without prejudice, they will freely confeſs that my parallels are juſt, and that I have drawn the Picture ſo like the Original, that 'twill be hard to know the one from the other, there's ſo much reſemblance betwixt them; after which, I may be permitted to infer from the Holineſs of our Diſci-

Diſcipline, the ſanctity of our Morals; and from the holineſs of our Morals, and of our Diſcipline, the truth of our Doctrine, and by conſequence, the purity of our Religion.

I know 'tis not abſolutely impoſſible but that there might be a corrupt Moral, with a good Doctrine; for altho ordinarily theſe things march together, and that the ſanctity of the one is followed with the purity of the other; nevertheleſs it may ſo happen that ſome may undertake to joyn a pure Doctrine with a corrupt Moral, or a holy Moral with dangerous Doctrines. Nevertheleſs, becauſe the Moral naturally follows the Doctrine, that for the moſt part an Orthodox Doctrine produces a virtuous Moral, and that when the Doctrines are true, the Laws of the Moral are juſt; I allow that thoſe which belch out falſe accuſations againſt us, as Enemies of the Morals of Jeſus Chriſt, I deſire they would judge of our Doctrines by our Morals, becauſe then they would judge of our Morals by our Diſcipline; for there's nothing more juſt, than to judge of the one by the other. If our Diſcipline then be pure, 'twill follow that our Moral is holy, and by conſequence our Doctrine is true by their own confeſſion. If they ſay that our Diſcipline is not pure, they accuſe of impurity that of the Primitive Church, ſeeing ours is a faithful Copy and Repreſentation of it; if they confeſs it is good, then they muſt confeſs that all our Religion is pure, ſeeing its Doctrine is true, the Moral holy, and the Diſcipline blameleſs.

They may forbear then writing ſuch great Volumes to vent untruths, nor take ſuch wide circuits to build on ill Principles, and to draw falſe and unjuſt conſequences; for there's nothing falſer than what they write, that we deſtroy the Moral of Jeſus Chriſt by our Doctrine of Juſtification; I ſay illegitimate, for if the very conſequences they impute to us might be drawn from our Do-

ctrine, which cannot be, yet they could not in equity be imputed to us, becauſe that, far from owning them to be ours, we abhor them with our Souls. What have we done to thoſe Gentlemen, that we ſhould be the object of their malice and ſpight? Where is the gentleneſs and moderation which the Spirit of Jeſus Chriſt inſpires? Where is that Chriſtian Charity that thinks no harm? Would they recover at our charge what they have loſt? Would they be receiv'd into favour by our prejudice? and make us a Sacrifice to appeaſe a Party that would ſuppreſs them, and againſt which they are no longer able to reſiſt? Muſt they needs quarrel with us becauſe they could not ſucceed in their deſigns? Heaven does not proſper mens endeavours, when the fleſh has as great a ſhare in it as the Spirit, when we mingle our Intereſt with thoſe of God; when we make Religion ſerve the World, and when we go about to make I know not what mixtures of the Onions and Garlick of *Egypt*, with the Milk of *Canaan*. The time will come when we ſhall all appear before the dreadful Tribunal, upon which ſhall ſit an Incorruptible Judge, who reading in our hearts, and ſearching into the bottom of our Souls, will make us give an account of our moſt ſecret thoughts, of our words and our actions; and happy will thoſe be whoſe Conduct, was ſincere and whoſe actions had Faith and Charity for their Principle, and the glory of God for their End.

ADVERTISEMENT.

THE Stationer hath in his hands the Atteſtation of Monſieur Cartaut *and Monſieur* Le Page, *Miniſters at* Diep, *and another of Monſieur* Le Gendre, *Miniſter at* Rouen, *declaring they have examined this Work, and that they have found nothing in it contrary to their Religion.*

In

In honorem ejus qui ex Anglorum, genere natus, hoc opus, ex Gallorum idiomate, in Anglicum tranſtulit.

ANte oculos poſuit noſtros Celeberrimus Author
Lumina, quæ priſcos dant prope quoſq; patres:
Hiq; Patre ſacrum Domini dant tempore Coetum,
Quique eadem noſtri tempora Coetus habet.
Os avidum Romæ potuit ſic claudere clave.
Ille decus per me perferat egregium.
Eſt alius quiſquam divino Numine fretus,
Primam cui generis præbuit ipſa Diem
Magna Britannia, qui pugnaces quoſ-ve Britannos
Edocet hoc verum, voce ſuâ Patriæ.
Inter eos igitur ſit gloria utrique viciſſim,
Eximioque Patri, Præſidioque gravi.

Deſaguliers, M.

Dom. Domino Walkero, in Verſionem Diſciplinæ Eccleſiarum Reformatarum, apud Gallos.

QUæ tibi plus debet Walkere? Britannia forté.
Gallia forté. Tuus ſeruit utrique labor.
Noſtrorum ſcripta exornas Sermone diſerto,
Externis anges divitiis patriam——

L. Rivall.

Sur

Sur le même, pour Explication, en Francois.

Sonnet.

L'Autheur de cet Ouvrage, ij paroit dés la France,
Excellent tout à fait, & met devant nos yeux,
Avec beaucoup de ſoin, & beaucoup de prudence,
Les Péres de ſe ſiécle, & ceux du ſiécle vieux.
Son travail clairement, montre que nôtre Enfance
Eſt celle des Vieillars, qui poſſedent les Cieux.
Rome, tu dois bannir ta Lache médiſance;
Pour la diſſiper toute, on ne peut faire mieux.

L'Autheur mérite bien de l'honneur, de la gloire;
Mais il ne doit pas, ſeul, jouir de la Victoire:
Ce ſage & juſte Anglois, tout plein de Charité,
Fait paſſer, chez les ſiens, ce Traitté véritable:
Il doit donc avoir part au Laurier honorable,
Le Peré en ce partage exalte l'Equité.

Deſaguliers, M.

A Monſieur Walker ſur ſa verſion, en Anglois, de la Diſcipline des Egliſes Reformées de France.

QUI te doit plus des deux! l'Angleterre ou la France?
O genereux Walker. Ton Travail Excellent
Honore l'une & l'autre, & donne l'Eſperence
D'un Amour, qui du Ciel, tient ſon vray fondement.

J. D. M.

CONFORMITY
OF THE
ECCLESIASTICAL DISCIPLINE
OF THE
Protestants of France,
With that of the
PRIMITIVE CHRISTIANS.

CHAP. I.
Of MINISTERS.
ARTICLE I.

TO *proceed to the Election of those which are to be Imployed in Preaching the Word of* GOD, *the Rule of the Apostle must be observed; that Examination and Inquiry must be made of their Doctrine, Life and Conversation, and that as diligently as may be.*

CONFORMITY.

Jeſus Chriſt having eſtabliſhed the Preaching of the Goſpel, to conduct his Children to the enjoyment of the Salvation which he purchaſed for them by the Merits of his Death, it is with great Reaſon that the Authors of our Diſcipline have begun this Excellent Work, with the Articles which Treat of the Election and Eſtabliſhing of Miniſters, which are the Inſtruments which God employs *for aſſembling the Saints, and for building up the Body of Chriſt*, as St. *Paul* ſpeaks. The more weighty this Office is, the more care ought to be taken, that thoſe which are called to it ſhould be enrich'd with Gifts neceſſary to diſcharge themſelves as they ought; that's to ſay, *That they ſhould be apt to teach*; which the National Synod of *Gergeau*, added in the Year 1601. to the Article which we examin, after theſe Words, *of their Doctrine*: 'Tis true, that the purity of Doctrine ſhould be accompanied with Holineſs of Life, to the end, that if they are the Light of the World by their Preaching, ſo alſo they ſhould be the Salt of the Earth by their good Living. The Apoſtle, who perfectly knew the importance of this Divine Employment, took particular care in *Chap.* 3. of the 1*ſt* Epiſtle to *Timothy*, and in *Chap.* 1. to *Titus*, to preſcribe all the Qualities he deſires in a good and faithful Miniſter of the *New-Teſtament*: St. *Peter* alſo Treats of them, but in a more general manner, in *Chap.* 5. of his 1ſt. Epiſtle.

Thence it is that St. *Clement* obſerves in his Epiſtle to the Church of *Corinth*, *That the Apoſtles Preached the Word in the Cities, and in the Countrey, and that they Eſtabliſhed for Biſhops of thoſe which were to believe, the firſt Fruits of thoſe which they had Converted*; that is to ſay,

Page 54. *Edit. Oxford* 1633.

ſay, The firſt Fruits of thoſe, which, being awakened at their Preaching, had imbraced the Profeſſion of the Goſpel; but he obſerves alſo, that he made them not Conductors of the Faithful, *until after he had proved them by the Holy Ghoſt.* *Tertullian*, in all likelihood, thought of this practice, when deſcribing in Chap. 39. of his *Apology*, the Aſſemblies of Chriſtians of his time, he ſaith, That the Elders which had been tried, preſided over them; this proof undoubtedly comprehending that of their Life and Doctrine: It is alſo in the ſame deſign, that the fourth Council of *Carthage* Aſſembled in the Year 398, and Compoſed of above 200 Biſhops, ordered in the firſt Canon, before all things, *To examin him that was to be Conſecrated a Biſhop, to ſee if he have a good Natural Wit; if he be apt to Teach; moderate in his Converſation; ſober in his Life; diligent in his Affairs; humble, affable, full of Compaſſion; If he be Learned; if he be Inſtructed in the Law of the Lord; if he Interprets the Word of God ſoberly and prudently; if he be vers'd in the* Dogma's *of the Church, and if he can explain in a clear and plain manner, the Doctrines of Faith.* The firſt Council of *Nice* alſo made mention of this Tryal in the Ninth and Tenth Canons; and it ſhall be ſhewn on the fourth Article, the exactneſs that was us'd, to have good Teſtimonies of thoſe which were to be Eſtabliſhed in the Miniſtry of the Church.

Tom. 1. Concil pag. 727.

II.

Thoſe which are newly introduced into the Church, eſpecially Prieſts and Fryars, are not to be admitted into the Miniſtry, without long and diligent inſpection and examination, not only of their Life, but alſo of their Doctrine, and muſt be approved of at the leaſt for two years, from

the time of their Converſion, and confirm'd by good Witneſſes of the places wherein they have lived; and they ſhall not receive Impoſition of Hands no more than if they were meer Strangers, without the advice of Provincial and National Synods.

CONFORMITY.

This Article is grounded upon the Authority of St. *Paul*, and upon reaſon; I ſay, on the Authority of St. *Paul*, who declares poſitively, That the Miniſter of the Goſpel *ſhould not be a Novice, leſt being lifted up*
1 Tim. 3. 6. *with Pride, he fall into Condemnation of the Devil.* I ſay, in the ſecond place on Reaſon; for if we diligently examine the Doctrine and Manners of thoſe that aſpire to the Office of the Holy Miniſtry, altho they are Sons of the Church by Birth, or at leaſt that they have joined themſelves to her Communion for ſeveral years paſt, of much greater reaſon ſhould the ſame Care and Precaution bind rather more in regard of thoſe which are turn'd to us but very lately: A Tree newly planted cannot ſo well reſiſt Winds and Storms, the extremity of Cold, nor great Heat, as if it had taken deep root in the earth; a new Convert has not ſo much Light or Experience for the guiding of a Flock; beſides, it is requiſite time ſhould be allowed to judge of the ſincerity of his Converſion, becauſe Men cannot penetrate into the heart; and that moreover, the Actions of a Hypocrite have in outward ſhew, much reſemblance with thoſe of a good Chriſtian.

But if this Article, now in queſtion, be grounded on the Authority of Scripture, and on the Light of Reaſon,
De Preſc. c. 41. edit. Paris. 1664. it is no leſs on Tradition; *Tertullian* reproaches Hereticks, *That they eſtabliſhed in the Miniſtry of the Church,* Neophites,

Neophites, *and ſuch as were newly converted.* The great Council of *Nice*, in the year of our Lord 325. made a Canon on purpoſe, wherein the Fathers complain, that ſeveral things had been done, either through neceſſity, or otherwiſe, to the Prejudice of the Eccleſiaſtical Rule, as for having too ſoon granted Baptiſm to thoſe which paſſed from Paganiſm to Chriſtianity, without having been long enough Catechiſed; and in having advanced them to the higheſt Offices in the Church preſently after Baptiſm; upon which they prohibit, That the like ſhall not be done for the future; becauſe ſay they, *There muſt be time for a Catecumene, and a longer Proof and Tryal after he has been Baptiſed*; which they confirm by the Words of the Apoſtle above cited: About forty years after, the Council of *Laodice*, the Canons whereof have been annex'd to the Code of the Canons of the Univerſal Church, made this Decree, which is to be ſeen in the Third Canon, *It is not permitted to admit into Sacred Orders, thoſe who have but lately received Baptiſm*; it is alſo, whereunto have regard the 12th and 13th Canons of the ſame Council. This ſame Defence has been ſince often reiterated; for, not to ſpeak of the 8th Canon of thoſe attributed to the Apoſtles, wherein 'tis to be ſeen at this preſent time, it is to be found in ſundry other places of the Writings of the Ancient Fathers; thoſe who will take the pains to read in the firſt Tome of the Councils of *France*, the Eleventh Canon of the Fourth Council of *Arles*, *Anno Dom.* 524. the Letter of Pope *Felix* the Fourth, to *Cæſarius* Biſhop of *Arles*, of the year 528. The Sixth Canon of the Third Council of *Orleance*, of the year 538. and the Ninth to the Fifth of the ſame place, with the Twelfth of a *Roman* Synod to the Biſhops of *France*, the time whereof is uncertain; thoſe I ſay, which will pleaſe to read theſe places, will

Can. 2.

eaſily

will eaſily perceive the Matter now in queſtion; as alſo in the Third Canon of the firſt Council of *Barcelona*, which was held the year 599. and in the Eighteenth or Nineteenth of the Fourth of *Tolledo*, in the year of our Lord 633.

Tom. 4. Concil. p. 531. & 587.

III.

If it happens that any Biſhop *or Curate aſpire to the Miniſtry of the Goſpel, he cannot be Ordain'd until he be firſt a true Member of the Church, renouncing to all his Benefices, and other dependancies on the* Roman-Church, *and acknowledging all the faults he has committed for the time paſt, as he ſhall be directed by the Conſiſtory; and after long experience and proof of his Repentance and good Living.*

CONFORMITY.

Thoſe whereof there is queſtion in this Rule, being near hand the ſame with the others whereof I have diſcourſed in the precedent Article; the ſame Method muſt be obſerved in reference to them, as towards the others; ſeeing they can be looked upon in the Communion wherein they are lately come, but as new Converts.

IV.

A Miniſter of the Goſpel, (except it be in troubleſom times, in caſe of great neceſſity, in which he may be Ordain'd by Three Miniſters, with the Conſiſtory of the place) ſhall not be admitted to this Holy Office, but by the Provincial Synod, or by the Colloqui; *provided it be compos'd of Seven Paſtors at the leaſt, which Number not being to be found*

found in ſome Colloquies, *it ſhall call in others of the Neighbourhood to accompliſh the Number; and him who is to be Ordain'd, ſhall be preſented together with good and ſufficient teſtimonies, not only of Academies, or particular Churches, but alſo of the* Colloqui *of the Church in the which he has been moſt converſant.*

CONFORMITY.

There are two chief Heads in this Article, one whereof regards the Number of the Miniſters which are to aſſiſt at the reception of him who is intended to be admitted into the Holy Miniſtry; and the other concerns the Teſtimonies of him who preſents himſelf to be Examined. As for the former of theſe two Heads, touching the number of Miniſters, whoſe preſence is neceſſary for the Eſtabliſhing of another, there is nothing wiſer or more judicious, than what our Diſcipline does appoint. Whilſt the Church doth enjoy Peace, and is at full Liberty, it's very reaſonable that the Miniſter of the Goſpel be admitted to this Sacred Office by all the Miniſters of the Province, aſſembled in a Synod, or at leaſt by thoſe which compoſe the Colloqui or Claſs where he is to ſerve, provided they are not under the number of Seven; but in perilous and difficult times, and upon urgent neceſſity, three are ſufficient: It is the Eſtabliſhment of the firſt Council of *Nice*, which explains it ſelf in theſe Terms, in the 4th of its Canons, *It is requiſite the Biſhop ſhould be eſtabliſhed by all the Biſhops of the Province; but if that be difficult to be done by reaſon of ſome urgent neceſſity, or by reaſon of the length of the way, let there be Three Aſſembled to make the Ordination, thoſe which are abſent, conſenting and approving the ſame by their Letters.* I grant the

the Cannon ſpeaks properly of the Ordination made by the impoſition of hands, as we ſhall ſee in what follows; but that don't hinder but that it may be appli'd to the whole vocation; the 19*th.* Canon of the Council of *Antioch* of the year 341, ſaith in effect the ſame thing.

But in regard of theſe difficult times whereof mention has been made, during the which three Paſtors ſufficed for eſtabliſhing a Miniſter, the Eccleſiaſtical Hiſtory praiſing the Piety and Zeal of *Euſebius* Biſhop of *Samoſate*, obſerves of him amongſt other things, one action very conſiderable, which is, that in the time the *Arrians* perſecuted the Catholicks under the Emperor *Valens*, this holy man knowing there was ſeveral Churches deſtitute of Paſtors, *He Equipp'd himſelf in a Soldiers habit, and putting a Miter on his head, he went through* Syria, Phœnicia, *and* Paleſtine, *ſetling Prieſts and Deacons, and alſo Biſhops, in the Churches that had need of them.*

Theodoret. Lib. 4. c. 13.

I ſay, he eſtabliſhed even Biſhops, whether it be underſtood of Biſhops, which had before been advanced to this Dignity, and which he eſtabliſhed in the Churches which had need of them, as may be gather'd from *Theodoret*, or other Orthodox perſons which he Conſecrated, and to whom he gave Ordination at the very time that he aſſign'd them Churches; and that he ſetled them in them, as is obſerv'd by *Mr. de Valois* in his Notes upon this place, and on the 4*th. Chap.* of the 5*th.* Book of *Theodoret*'s Hiſtory; to juſtifie what I have now ſaid of *Euſebius* of *Samoſate*, that he eſtabliſhed Biſhops in the Churches that wanted them, and at the ſame time to ſee ſundry inſtances of Ordinations by the Impoſition of hands, of one perſon only; however it be, the conduct of this Prelate, which was never blamed by any, ſhews plainly, that in difficult times, and when the preſervation

tion and ſafety of the Church requires it, ſomething of the rigor of the Laws and Canons of the Church may be diſpenc'd withal, as is obſerv'd by *Syneſius* Biſhop of *Ptolomais*, in his 67 Epiſtle, where he makes mention of the Ordination of a Biſhop by another ſingle Biſhop, in difficult and troubleſome times; and I will make appear on the 8*th*. Article, ſeveral examples of theſe kinds of Ordinations even in times that were not troubleſome, and ſuch as our Diſcipline deſigns; in the mean while I obſerve that Venerable *Bede* in his Eccleſiaſtical Hiſtory of *England*, writes, that *Ithamar* Biſhop of *Rocheſter*, alone of himſelf, Conſecrated two Arch-Biſhops of *Canterbury*, one after another ſucceſſively.

P. 210. Edit. Par. 1631.

Lib. 3. Cap. 20.

I now proceed to the ſecond Head of this Article, which concerns the Teſtimonies thoſe are to produce, who are to be Conſecrated to the Holy Miniſtry. Paſtors being to be an example to their flock in word and converſation, it is very fitting there ſhould be good teſtimonies of their Life and Doctrine, before they are eſtabliſhed in this Divine Office; inſomuch as St. *Paul* deſires, that they may have a good report of thoſe which are without, fearing leſt they ſhould fall into ſhame, and the ſnare of the Devil; therefore the Church has ever uſed after this manner, admitting unto this truſt only thoſe which had good and ſufficient teſtimonies, as well for their capacity, as for their good Conduct; it is whereunto amounted the proof St. *Clement*, Diſciple of the Apoſtles, and *Tertullian*, have already made mention; thence it is, St. *Cyprian* will, * *That the Paſtor be eſtabliſhed in the preſence of all the people, who perfectly know the life of each perſon, and that have narrowly obſerv'd his converſation, to the end that having diſcover'd his vertues, or vices, the Ordination made by the conſent and approbation of all, may be juſt and legitimate.** And elſwhere, he ſaith to the people,

* Ep. 67. ult. Edit.

* Id. Ep. 33.

That he is wont to adviſe with them, when he is about to Ordain any Clerk, to the end they may examin and try altogether, the life and good qualities of each one.

T.3. Ep. 181. *Paris* 1638.

Saint *Baſil* complaining of the relaxation of Diſcipline, and the ſlighting of the Canons, which in time might occaſion great confuſions in the Church, he ſaith, *That the ancient cuſtom of Chriſtians was carefully to ſearch and to make very ſtrict inquiry into the life and converſation of thoſe who were admitted into the Miniſtry, to find out if they were Slanderers, Drunkards, Fighters, if they carry'd themſelves ſoberly, and if they could walk ſtedfaſtly in the ways of Sanctification, without which no one ſhall ſee God.* Moreover this cuſtom appear'd ſo good and holy to him, that he will abſolutely have the uſe of it reviv'd throughout all his Dioceſs; that he will have the Church purg'd of all thoſe that were enter'd into it by any other manner, as being unworthy to ſerve in it, and that for the future none ſhould be admitted but thoſe which were firſt duly examin'd, and accounted worthy the Employments intended for them.

I will not here repeat what I alledged of the fourth Council of *Carthage* upon the firſt Article; I will only ſay, that in the third Tome of the Library of the Fathers, and in the Pandect of the Cannons Printed at *Oxford* of late years, there is a Canonical Epiſtle of *Theophilus* Biſhop of *Alexandria*, the ſixth Canon of which treats of Ordinations, wherein he deſires, *the Election and conſent of the Clergy, the examination of the Biſhop, and the teſtimony of the people.*

P.236. *Paris* 1642.

In the Book of Sacraments of *Gregory* the firſt, the Biſhop is to ſignifie to the People the Names of thoſe which are to be choſen, to the end that if any there preſent know any thing that might hinder the Ordination, they might declare it freely, and with a ſafe conſcience; thence

thence it is that *Leo* the firſt, deſires in theſe Occaſions, *the teſtimony of the People*, as he explains himſelf in his 89 Epiſtle. And Pope *Eugenius* II. in a Synod aſſembled at *Rome* about the year of our Lord 826, and which is to be ſeen in the ſecond part of the *Roman* Collection of *Holſtenius* Printed at *Rome* 1642, I ſay, with the Synod, preſcribes in the very terms of the Apoſtle, the manner of Ordination; that is to ſay, that he requires that he which deſires to receive it, may be adorn'd with the Qualities recommended by St. *Paul*, and that he may be acceptable to all the world by his good Works. Cap. 1.

The Emperor *Alexander Severus*, ſo highly approv'd this uſe and practiſe, as alſo the publiſhing which was made of thoſe which were to be admitted into the Miniſtry of the Church, whereof I ſhall ſpeak on the tenth Article, that he would have it be put in practice in eſtabliſhing Governours of Provinces of the Empire, and other Magiſtrates. *Ælius Lampri. in Alex. Sev.*

The Fathers of the firſt Council of *Nice*, in the Letter they wrote to the Church of *Alexandria*, and which has been tranſmitted to us by *Socrates* and *Theodoret*, theſe Fathers term this, *Offering to the People the Names of thoſe which were to be advanced to any Dignity in the Church.* St. *Chryſoſtome* in the 18*th.* Homily upon the 2 Epiſt. to the *Corinthians*, Eſtabliſhes and confirms this cuſtom by the Example of the Apoſtles, which us'd the ſame when *Mathias* was to be choſen, and alſo by that of the Seven Deacons. Something of the ſame kind is to be ſeen in 61 and 76 Epiſtles of *Syneſius*, according to which *Nicetas* in the Life of St. *Ignatius* Patriarch of *Conſtantinople*, in the IX Century, which is contain'd in the Preliminaries of the eighth Council of *Conſtantinople*, which the *Latins* hold for Oecumenical, but is rejected by the L. 1. c. 9.

Tom. 6. Concil. pa. 872.

Greeks: Nicetas obſerves, that ſeveral were named to fill the vacant Chair, and that St. *Ignatius* was preferred before the reſt.

V.

The Examination of him that ſhall be preſented, ſhall in the firſt place be made by Propoſitions out of the Word of God upon the Texts of Scripture which ſhall be given to him, the one in French; *of neceſſity, the other in* Latin, *if it be thought expedient by the Colloque; for each of which he ſhall be allowed* 24 *hours time to prepare himſelf; if therein he ſatisfies the Company, it ſhall be farther known by a Chapter in the New Teſtament which ſhall be aſſign'd him, whether he is skilful in the* Greek, *ſo as to interpret it; and as for* Hebrew, *it will be requiſite to know if he underſtands it ſo far as to make choice of good Books for the better underſtanding the Scriptures; whereunto ſhall be added an Eſſay of his Induſtry and skill on the moſt neceſſary Parts of Philoſophy, all in Charity, without affectation of difficult and unneceſſary Queſtions. To conclude, there muſt be requir'd of him a ſhort confeſſion of Faith in* Latin, *upon which he ſhall be examin'd by way of Diſpute; and if after this trial, he ſhall be found capable, the Company repreſenting to him the obligation of the Office whereunto he is called, ſhall declare to him the power which is given to him in the Name of Jeſus Chriſt, of Adminiſtring as well the Word, as the Sacraments, after his intire Ordination into the Church whereunto he is appointed, the which ſhall have notice of his Election by Acts and Letters of the Synod or Colloque, carried and read by one of the Elders.*

CON-

CONFORMITY.

After what I have hitherto ſaid, it cannot reaſonably be doubted, but that in all times, thoſe have been Examin'd in the Church, which were to Labour for her Inſtruction and Edification, and which were to ſerve in Preaching the Word, and Adminiſtring the Sacraments; I grant this Examination may differ according to the diverſity of Places and Perſons, which were to do the Office of Examiners; ſome doing it with more Exactneſs and Severity, and others with more Mildneſs and Charity; and I can't tell if ever there has been ſeen on this Subject, a more ſtrict and exact eſtabliſhment than that which our Diſcipline doth preſcribe: Whatever it is, it is moſt certain, that is, That the Examination of Life and Doctrine, however 'twas perform'd, always preceded Ordination. The 19th. Canon of the 1ſt Council of *Nice*, the 12th of that of *Laodicea*, and the 1ſt and 4th of *Carthage*, ordaining it ſhould be ſo; although the latter makes it more ample than the two others, and declares diſtinctly, the Queſtions which were to be made, and the Articles upon which thoſe were to be Interrogated which were to be called to be Biſhops; and I make no queſtion, but 'twas with regard to this Examination, That *Gregory* the firſt condemn'd in his Paſtoral, *The temerity of thoſe which being ignorant and deſtitute of knowledg, would preſume to take on them the Office of Paſtors, never conſidering that the Conduct of Souls, is the Art of Arts:* That is to ſay, the Nobleſt and moſt Excellent of all the Sciences, and withal, the moſt Difficult, the moſt Intricate, and moſt Laborious, and by conſequence, requires more Study and Care than any other whatſoever. What a ſhame would

Part. 1. c. 1. T. 1. *Paris.* 1586.

would it be for a Paſtor, to ſpeak yet with the ſame St. *Gregory*, in the ſame Treatiſe, If he ſhould go about to learn, in the time that he ſhould reſolve the difficulties ſhould be propos'd to him? Whereas he ought always to be ready, to give to Believers the ſatisfaction which they deſire, upon things which concern Conſcience and Salvation.

Part. 2. cap. 11.

This laudable Cuſtom continued a long while after the Death of *Gregory*; but ſince the Ninth Century, the Examination of Paſtors was inſenſibly brought to ſo mean a State, that there needed not much Learning to Anſwer the Queſtions that were propos'd: And to conclude, The greateſt part of the Vocation and Conſecration of thoſe to whom the Care and Conduct of Souls was committed, conſiſted only in Shew and Ceremony, or at leaſt ſo little heed was taken of their Judgment and Capacity, that there was ſeen to grow in a little time, from a practiſe ſo different from that of the Primitive Chriſtians, that groſs Ignorance, which was the Spring and Cauſe of moſt part of the Evils and Diſorders which have befaln the *Weſtern* Church: Not but that ſeveral Rules have been made to redreſs this great Miſchief, but it had got too deep root: Beſides, Favour and Authority had a greater ſhare in theſe promotions than the Glory of God, and the Inſtruction of the People; eſpecially the Power of the Biſhops of *Rome*, who by degrees had gain'd to themſelves the greateſt part of Eccleſiaſtical Power, bethought themſelves about the XI. Century, to cauſe to be demanded, or demanded themſelves of the Biſhops which were Examined, and in the very moment of their Examination, if they did not promiſe ſubjection and fealty in all things to St. *Peter*, and to his Church, to his Vicar, and to his Succeſſors, as appears by the *Roman* Order, which in all

Tom. 10. *Probl. Pat.* p. 107.

like-

likelihood was writ about that time, and where is to be ſeen at this day amongſt the Queſtions made to the Biſhop which was Examin'd, thoſe which regard the Obedience and Fidellity which I but now mentioned; and there is to be ſeen in the *Roman* Pontifical, Printed at *Venice* in the Year 1582. the Form of the Oath they were made to take, and whereunto they ingaged themſelves in doing it, which are things quite different from the Diſcipline of the Primitive Chriſtians. Page 25.

I know very well, that about the year 722. *Boniface*, Archbiſhop of *Mayence*, made an Oath to Pope *Gregory* the II. at the time of his Ordination and Promotion to the Prelacy; but this Oath did properly contain no more but a Profeſſion of Faith, and the Eſſential Duty of an Apoſtollical Legat, and of a Vicar of the Holy See, as they expreſs it; which is to make Biſhops obſerve the Canons, and to give the Pope Information of the great difficulties which is therein. I know alſo this Prelat Aſſembled a Council, as he recites it in his 105. Letter to the Biſhop *Cuthbert*, wherein he made alike profeſſion to the Biſhops which there aſſiſted; but beſides that, all this was done but only by Order of the Princes and Biſhops of the Kingdom, as may be gathered from the very Letter of *Boniface*, and from the 1ſt Canon of the Synod of *Leptines*, where Prince *Carloman* proteſts, That by advice of the Biſhops and Nobles of the Kingdom, he ſetled Biſhops in all Cities, and gave them for Chief and Superiour, the Archbiſhop *Boniface*, Legat of the Holy See. Beſides this, I ſay, theſe Examples now alledged, went no farther, if my memory fail me not, before the time I mention.

V. I.

Him whoſe Ordination ſhall be ſignified to the Church, ſhall Preach the Word Three ſeveral Sundays *in publick; (but not Adminiſter the Sacraments, nor Celebrate Marriage) in preſence of all the People, that they may obſerve his manner of Teaching: The ſaid People being expreſly warn'd, That if there be any one that know any juſt cauſe, wherefore the Election of him ſo ſignified, may not be fully ratified, or that he be not liked of, they may come and make it known to the Conſiſtory, who will patiently hear any one's Reaſons, to judge of the whole. The ſilence of the People ſhall be look'd upon as a full conſent: But if there be murmuring, and that the Party named, is liked of the Conſiſtory, and not of the People, or the major part of them, his admiſſion ſhall be deferred, and the whole ſhall be reported to the Colloqui, or the Provincial Synod, to diſcern, as well the Juſtification of the Perſon named, as of his Reception; and altho' the Perſon named was there juſtified, yet he ſhall not be impos'd as a Paſtor on the People, contrary to their deſire, nor ſo much as to the diſlike of the greateſt part of them; nor the Paſtor in like manner againſt his will, to the People; and the difference ſhall be clear'd by order, as aboveſaid, at the Charge and Expence of the Church which ſhall demand it.*

CONFORMITY.

Although a Miniſter might be judged capable by the Synod, or the Colloqui, which have Examin'd him, That is not ſufficient to Eſtabliſh him. It is moreover requiſite that the Flock that is appointed for him, be ſatisfied with his Preaching; therefore he is obliged to Preach Three ſeveral times, before he receives the Im-

Impoſition of Hands, to the end, that if his way of Preaching pleaſe the People, he may be confirm'd in his Miniſtry; but on the other hand, if all the People, or the major part of them declare, That they are not ſatisfied with his Preaching, and that his Teaching is not to their liking, Our Diſcipline doth very prudently Order, that all ſhall ſurceaſe. In effect, as a Miniſter cannot be forced to yield his Service to a Church, for the which he has no inclination; ſo in like manner, a Church cannot be obliged to make uſe of the Miniſtry of a Man, whoſe Conduct and Preaching is not acceptable. It is a kind of Wedlock, which requires the reciprocal liking of both Parties; *There is nothing more firm and profitable, (ſaid to this purpoſe,* Gregory Nazianzen*) than to receive freely the overſight of thoſe you receive as your Teacher or Guide; and ſee here the Reaſon he alledges for it: Our Law* (ſaith he, ſpeaking of the Canons of the Church) *requires not that People ſhould be led by force, it deſires that all ſhould be done of free-will, and without conſtraint.*

Tom. 1. Orat. 8. p. 148. *Paris* 1630.

And becauſe it often happens, that Miniſters give no cauſe on their part, for the refuſal made of their Miniſtry by the Churches, although 'twas appointed for them, and that this refuſal has no other ground, but the humour of an inconſtant People; the Ancient Canons have provided, in declaring that theſe Paſtors ſhall partake of the Honour of the Office and Function of a Miniſter; and that the Provincial Synods ſhall provide them ſome ſettlement elſewhere. The 18th Canon of the Council of *Antioch*, in the Year of our Lord, 341. is clear in the Caſe; *If a Biſhop go not to the Church for which he was Conſecrated, and that it don't happen through his fault, but by the oppoſition of the People, or for ſome other ſubject for which he is not the Cauſe; Let him par-*

take of the Honour, and of the Miniſtry, provided he cauſes not any trouble to the Church whither he retires; and let him take what the Synod of the Province ſhall judge convenient. All the difference there is to be ſeen betwixt this Canon and the Article of our Diſcipline, is, That then the Paſtors which were ſent to the Churches, had already received Ordination; whereas amongſt us, it is to be receiv'd in the Church it ſelf whither one is ſent: Nearer to which there cannot a greater Conformity be deſired. The 36th Canon of thoſe father'd on the Apoſtles, preſcribes in effect, the ſame as that of *Antioch.*

After all, by this Order of the Canons, Paſtors could not be impoſed on the Churches againſt their liking; ſo it is that Pope *Celeſtin* writes in the 5th Century, to the Biſhops of the Provinces of *Vienna*, and of *Narbona*, *Let no Biſhop be given to thoſe which oppoſe his Eſtabliſhment; and let the conſent of the Clergy and People be firſt had, to know if they deſire to have him for their Paſtor.* *Leo* the 1ſt, Succeſſor to *Celeſtin*, after *Sixtus* the 3d, writes near hand the ſame to *Anaſtatius*, Biſhop of *Theſſalonica*, and pretends, *That the Biſhop be deſired by the Clergy and the People, and that without it, he ought not to be ſent; fearing leſt the People having received againſt their will, a Biſhop that they had no liking to, might ſlight or hate him, and not being able to have him they deſired to have, they out of meaſure decay in Piety and Religion.* The 5th Council of *Orleans*, in the Year 549. renews in the xi. Canon, the Ancient Decrees, and pronounces Sentence of Depoſition, without hope of Reſtoration, againſt thoſe which intrude into the Miniſtry any other way; and that do by violence uſurp the Conduct of a Church, againſt the Will of the Clergy and People whereof it is compos'd, and without having been called unto it by any lawful Ordinance. And the 3d of *Paris*, Aſſembled

Tom. 1. Conc. Gall. *p.* 57.

P. 84. *c.* 5. Lyon. 1652.

Aſſembled *Anno Dom.* 557. Emplies alſo to this ſame effect, The 8th Canon contained in terms no leſs ſtrong than that of *Orleans*. *Ibid.*

There would never be an end, ſhould one undertake to cite all the Teſtimonies of the Ancients, touching the part Believers had in Election of their Conductors; for beſides what I have hitherto writ, there are a great many proofs of this Truth: For inſtance, That which is ſaid by *Cornelius* Biſhop of *Rome*, in *Euſebius*, of the Ordination of *Novatian* unto the Office of Prieſt; for 'tis eaſily collected out of this Relation, That the People were wont to give their Voices and Conſent in theſe occaſions. The Fathers of the 1ſt Council of *Nice*, ſpeak fully of *the Choice of the People*, in the Letter which they wrote to the Church of *Alexandria*. The Emperor *Conſtantine* writing to thoſe of *Nicomedia*, he ſays, That 'tis in their power to make choice of what Paſtor they pleaſe; and that it depends freely of their Judgment. The Council of *Calcedon* in the xi. Action, ſpeaking of the Church of *Epheſus*, ſaith, *That a Biſhop ſhall be given them, as ſhall be Elected, by the conſent of all thoſe which he is to feed.* And in the 16th Action, there is alſo mention made of the ſuffrage of the People: Thoſe that will take the pains to read the 20th Chapter of the 4th Book of *Theodoret*'s Eccleſiaſtical Hiſtory; the 15th of the 5th Book of that of *Socrates*, the 19th of the 8th of *Zozomen*, the 12th of the 2d of that of *Evagrius*, with the 67th and 76th of *Syneſius*, will find ſeveral Examples of the Practice which I Examine.

L. 6. *c.* 43. *p.* 245.

Apud Theodor. *l.* 1. *c.* 9. *Ibid.* 1. 20. p. 50.

Tom. 3. Concil. p. 410. & 462.

The IX. Century affords us a Treatiſe expreſly about Elections of Biſhops, written by *Florus*, Deacon of the Church of *Lyons*, the which is contain'd at large in the 2d Volume of the Works of *Agobard* Biſhop of the

ſame place, of the laſt Edition, for which we are beholding to the care of Mr. *Baluze*; This excellent Writer Eſtabliſhes throughout the whole Treatiſe, the Right of the People; and proves, That they ever had their part in the Vocation of their Paſtors; and that this was alſo practiſed in his time, and alſo in the *Roman* Church. To conclude, The Vocation of a Miniſter was not thought Legitimate, if the Voice of the Clergy and People had not interven'd, which practiſe continued alſo in the XIIth Century, at leaſt in the Weſt, as appears by a Treatiſe of *Arnulph* Arch-Deacon of *Sieux*, and afterwards Biſhop of *Liſieux*, againſt *Gerrard* Biſhop of *Angouleme*; for he ſaith in the 2d Chapter, *That there's no likelihood, that the Clergy nor the People had any part in his Election.* And in the 7th, wherein he reproaches him to have uſurped the Archbiſhoprick of *Bourdeaux*, he ſpeaks after this manner; *The deſire of the People did not precede, no more than the Election of the Clergy.* I proceed on farther, and I ſay, the ſame practice was obſerv'd in the beginning of the 13th Century; therefore a Council of *Avignon* Aſſembled the Year 1219. by the Legates of Pope *Innocent* the 3d, was obliged to prohibit it in the 5th Chapter, *We forbid the Laity to intermedle by themſelves or any elſe, in the Election of a Biſhop, or of any other Church Guide.* And in all likelihood, the Council made this Decree in regard of the *Albigenſes*, who doubtleſs followed the Ancient practice, and with whom the Legates of this ſame Pope had a Conference in the City of *Mountreall* near *Carcaſſone*, three years before, whereof there is mention made in the 18th Chapter of the 2d part of the Hiſtory of the Euchariſt. In the main, I believe, that ſince this Council of *Avignon*, the People have, by little and little, been depriv'd of their juſt Rights; from thence it is, as I ſuppoſe, that Pope

Pa. 254, &c.

Tom. 2. p. 343, & 363.

Ubi ſupra, p. 613.

Pope *Gregory* the Tenth which order'd ſeveral things about Elections in the Council of *Lyons*, in the year 1274, ſaith nothing at all of the ſuffrage of the People, altho he ſpeaks ſeveral times in general terms of thoſe which do elect. Tom. 7. Concil. p. 885. ad 887.

VII.

He who has conſented to be Ordained to the Holy Miniſtry, ſhall receive the Office which ſhall be given him, and at his refuſal ſhall be ſollicited by all convenient Exhortations, but he is not to be conſtrained.

CONFORMITY.

From the time that one has conſented to make choice of him to ſettle him in the Office of the Holy Miniſtry, he is ingag'd by a kind of promiſe that he is bound in Conſcience to accompliſh; ſo that it is juſt to repreſent his Duty to him, and to exhort him to bear without reluctancy the yoke which he had a deſign to take on him. Nevertheleſs, becauſe theſe kind of actions ſhould be free, and that the work of the Lord ought to be without conſtraint, it cannot reaſonably be uſed towards thoſe which refuſe to accept this Office, whatever inclination they had to it before; according to which the third Council of *Orleance* aſſembled *Anno Dom.* 538. diſcharges the Paſtors which were choſen into Orders by force, or againſt their will; it diſcharges them from their Employment, without debarring them from the Communion; but as for Biſhops that have the confidence to make ſuch Ordinations, the Synod impoſes on them a years Penance, and ſuſpends them from the functions of their Miniſtry. The *36th.* Canon of thoſe which go in the Can. 7. t. 1. Conc. Gal. p. 250.

the Apoſtles Names, differs a little from this practice, and is ſomething more ſevere. In the main, the ancient Diſcipline never approved force nor conſtraint in theſe Occaſions, altho ſome inſtances are found in the Eccleſiaſtical Hiſtory.

VIII.

The Election of Miniſters ſhall be confirm'd by Prayers, and the Impoſition of hands; nevertheleſs in avoiding all ſuperſtition, according to the form which follows.

The manner of the Impoſition of hands, commonly obſerved in the Churches of *France*, in the Ordination of Miniſters.

All aboveſaid having been obſerv'd, two Paſtors which for this purpoſe have been deputed by the Synod, or Colloque, to lay hands on him that is elected, being come to the appointed place; him of them that is to Pray, ſhall briefly treat of the Inſtitution and Excellency of the Miniſtry, alledging the paſſages of Scripture moſt fitting to the occaſion, as Eph. 4. 11. Luk 10. 16. Joh. 20. 21. 1 Cor. 4. 1, 2. 2 Cor. 5. 18, 19, 20. 1 Tim. 1. 2, &c. *and others the like, exhorting each one to beware, to the end that as well the Miniſter as the People, diſcharge their Duty: The Miniſter diſcharging himſelf ſo much the more carefully of his Employment, as he knows 'tis precious and excellent in the ſight of God; and the people receiving with all reverence the Word of God, which ſhall be delivered by him, which is ſent unto them. Then ſhall be read in the preſence of all what is written,* 1 Tim 3. Tit. 1. and 1 Pet. 5. *where the Apoſtle teaches what a Miniſter ſhould be. And to the end God would be pleaſed to beſtow his Grace on him which is Ordain'd, well and*

and faithfully to acquit himſelf, a ſhort Prayer ſhould be made to this effect, wherein the ſaid Miniſter ſhall include theſe words, or others to the ſame effect: That thou wouldeſt be pleaſed, Oh God, to endow with the Gifts and Graces of thy Spirit, this thy Servant lawfully Elected, according to the Order eſtabliſhed in thy Church, ſupplying him abundantly with all Gifts neceſſary for well diſcharging his truſt, to the Glory of thy Holy Name, the Edification of thy Church, and the Salvation of him who is now dedicated and conſecrated by our Miniſtry. *Then they ſhall lay their hands on his head: Him that Prays ſtanding at the Chair, and him for whom he prays, on his knees; Prayer being ended, and the new Paſtor ſtanding up, the two Deputies of the Synod or Colloque, ſhall in preſence of all the people give him the hand of fellowſhip; and let this Form, with the direction aboveſaid, be generally obſerved in all the Churches.*

CONFORMITY.

There are ſeveral Conſiderations to be made on this Article, and on the form which is above recited. In the firſt place, the Miniſter to whom it belongs to Preach, ought in his Sermon, to treat of the Inſtitution and excellency of the Miniſtry, and of the duties of this weighty Office; whereupon we find a great many excellent paſſages in the Writings of the Ancient Fathers of the Church, and ſeveral holy reflections capable to infuſe into Paſtors an ardent zeal, and a ſincere affection, in performing the ſeveral Duties of their Office. Not to ſpeak of *Gregory* the Firſt, having compos'd an intire Treatiſe to explain the Functions of this Excellent Office; and it is very probable that in the time of Ordination it was ſignify'd to thoſe which were to receive it, whereunto the con-

conduct of ſouls which God committed to their charge, obliged them: The firſt Canon of the fourth Council of *Carthage*, inſinuates it thus, having touched all the ſeveral things about which he will have him examin'd which is to be eſtabliſh'd in the Miniſtry, he adds, *When he has receiv'd the Epiſcopacy in the Name of Jeſus Chriſt, let him not follow his pleaſures, nor the inclinations of his mind, but let him ſubmit and acquieſce to theſe Decrees of the Fathers.* And I make no doubt but what was practic'd in *Africa* in the time of this Council in the Ordination of Biſhops, did tacitly warn them of their Duty; for we find in the ſecond Canon, that two Biſhops laid on his head the Book of the New Teſtament, and held it there during the whole action; we read almoſt the ſame thing in the Conſtitutions under the Apoſtles Names, and in the *Roman* Pontifical, and in the XI. Chap. of the ſecond Book of *Durandus* his *Rational*, St. *Chryſoſtom*, or rather ſome one elſe in his name, teaches in the Homily, that there is but one Legiſlator of the Old and New Teſtament; he teaches, I ſay, that the reaſon wherefore this Ceremony was practis'd in the Ordination of Biſhops, was to mind them, that to be Rulers over others, they were ſubject nevertheleſs themſelves to theſe Divine Laws, and oblig'd to obſerve its Commands. Moreover, it appears by all I have ſaid, that the Author of the Book of Divine Offices, which is falſly attributed to *Alcuin* Tutor to *Charlemaign*, and to *Amalarius Fortunatus*, who liv'd in the time of *Lewis le Debonair*, it appears they were deceiv'd, when they ſaid the former in the 37*th*. *Chap.* and the other in *Chap.* 14. of the Book of Eccleſiaſtical Offices, that this Ceremony which I have touched, was not countenanc'd by the authority of the Ancients.

Tom. 1. Concil. p. 727.

The ſecond Conſideration regards the Impoſition of hands which the Apoſtles uſed in Eſtabliſhing of Deacons;

cons, *Acts* 6. 6. and in that of Paſtors and Miniſters under the name of Elders, *Acts* 14. 23. for the *Greek* word, which may be referr'd to the ſuffrages of the people, does commonly ſignifie the Impoſition of Hands, whereof expreſs mention is made, 1 *Tim.* 4. 14. & 5. 22. a Ceremony which the ancient Chriſtians always practis'd in theſe Occaſions: I ſhould be over-tedious ſhould I cite all the paſſages which confirm this truth; wherefore I ſhall only inſtance ſome places of Antiquity where mention is made of this impoſition of hands. St. *Cyprian* makes mention of it in his 68 *Epiſt.* the laſt Edition; *Cornelius* Biſhop of *Rome* in the ſame. St. *Cyprian*, Ep. 46. *Euſe*- in the 8, 23, and 43. of the ſixth Book of his Eccleſiaſtical Hiſtory, and in the 32. and 7. Book. St. *Baſil* in the firſt Canon of his firſt Canonical Epiſtle to *Amphilokius*, and in the 192. to the Prieſts of *Nicopolis*. The Great Council of *Nice* in the ninth Canon; that of *Antioch* in the 10. and 17. and the fourth of *Carthage* in the ſecond. I paſs in ſilence a great number of other paſſages, which favour the uſe of this Holy Ceremony, to obſerve, That in the very time when they added a great many other things to this Impoſition of hands, yet it was nevertheleſs conſider'd, as the chief of all the reſt. Inſomuch that in the Theſes that were maintain'd at *Paris* in the year 1633, *June* 7. it was taught, That in Orders where Impoſition of hands was us'd, it ſuffic'd, *Ad valorem firmitatunq; Sacramenti*, which alſo is the judgment of many Learned Divines, ſaith the Jeſuit *Sirmond*; We are indeed of another opinion, for we do not believe that Orders is a Sacrament; but I have alledged this Example to ſhew, that thoſe it ſelf which have accompanied the Ordination of Paſtors with ſeveral Ceremonies, which are not of the firſt nor pureſt Antiquity, do never-

Antir. 2. Part 2. c. 8. p. 72. *Paris* 1634.

verthelefs give the chiefeſt place to the Impoſition of hands.

The third thing obſervable is, That Prayer was joyn'd to the laying on of Hands; as appears by the paſſages in the Holy Scriptures cited in the foregoing Section, which was Religiouſly practis'd by thoſe which ſucceeded thoſe firſt Miniſters of Jeſus Chriſt; the ſecond Canon of the fourth Council of *Carthage*, repreſents to us one of its Biſhops imploring the Bleſſing of God upon him on whom they laid their hands; St. *Baſil* in his Morals ſaith, That that ought to be done, *with Prayer and Supplications*. St. *Ambroſe* ſaith the ſame in his Book of the Dignity of Prieſthood, and in the 60 *Epiſt.* Thence it is that the Deacon *Hilary* in the third Tome of the Works of the ſame St. *Ambroſe*, expounding the 14 *verſe* of the 4*th. Chap.* of the 1*ſt* to *Tim.* he looks on the Impoſition of hands, as ſo many myſtical words, whereby him that is Ordain'd, is confirm'd for the work of the Miniſtry. St. *Jerome* ſaith poſitively on the 58*th. Chap.* of *Iſaiah*, *That Ordination is compleated not only by Prayer, but alſo by the laying on of hands.* *Theodoret* in the 19*th. Chap.* of his Religious Hiſtory, in the third Volume of his Works, Printed at *Paris* Anno 1642, *Theodoret* joyns theſe two actions together, to wit, Impoſition of Hands, and Prayer; as things which ſhould not be ſeparated in the Ordination of Paſtors. Twenty five years ago the Letters of *Photius* Patriarch of *Conſtantinople* in the Eleventh Century, were Printed at *London*, and at the end of theſe Letters, five more of this ſame Patriarch were ſubjoyn'd, which were taken out of an ancient Eaſtern Manuſcript, in the fourth of which Letters, he declares that Hands were not impos'd on a Biſhop, *But to implore the Grace of the Holy Spirit which is needful for a Mini-*

To. 2. Reg. 70. C. 1. p. 476.

To. 4. pag. 383. T. 5. p. 326. *Paris* 1632.

Tom. 4. p. 192. *Paris* 1623.

a Miniſter. It is doubtleſs upon this account that the Council of *Sarragoſa* in the year 592, *Can.* 9 calls this *the Benediction*; as alſo the fourth of *Carthage*, and the firſt of *Barcelona*, in the year 599. *Can.* 3. *The Bleſſing of Conſecration*. The firſt of *Orleans*, Anno 511. *Can.* 10. ſpeaks *of the Benediction of the laying on of hands*. Tom. 4. Conc. 525 Ibid. pag. 531 To 1. Conc. Gal.

This third Conſideration opens the way to us for a fourth, which regards the poſture of him which is Conſecrated, and of him which Conſecrates. It may eaſily be obſerv'd from what has been ſaid, that him which Conſecrates is ſtanding, and him which is Conſecrated kneeling, otherwiſe it had been hard and almoſt impoſſible to lay his hands on him, and to pray to God, holding them on his head, to the end he would be pleas'd liberally to beſtow on him the Gifts and Graces neceſſary, duly to diſcharge the Office wherewith he is honour'd. But were it ſo that the truth of this practice, which is very juſt, could not be gather'd from this Diſcourſe, *Theodoret* gives us no cauſe to doubt of it; for he obſerves in the 15*th. Chap.* of the fourth Book of his Eccleſiaſtical Hiſtory, that when there was need of appointing a Succeſſor to *Euſebius* Biſhop of *Samoſatia*, the Synod of the Province caſt their Eye on *Antiochus* his Nephew, and that after his Election he was led towards the Communion Table, and there he was made to kneel down to receive the Impoſition of Hands.

It remains now to ſay ſomething of the Number of the Paſtors which are to be preſent at this Holy Ceremony: The 4th Canon of the 1ſt Council of *Nice*, appoints this ſhould be done by all the Biſhops of the Province; or if that cannot be, that there ſhould be three at the leaſt; the others, by their Letters, approving of the Ordination. The 19th of that of *Antioch* preſcribes partly the ſame thing, that is to ſay, it declares, That

'twere to be wiſhed that all the Biſhops of the Province could be preſent; but when there is any hindrance, it doth not ſpecify, as that of *Nice*, the number of thoſe which ought to be preſent; it only ſaith, That 'tis requiſite there ſhould ſeveral be aſſiſting, or that ſhould conſent by their Letters. The 1ſt of the Canons attributed to the Apoſtles, requires, *That a Biſhop ſhould be eſtabliſh'd by two or three Biſhops.* Thence it is, that though according to the direction of moſt part of the Canons, Three Biſhops were uſually employed for the Ordaining a Paſtor; nevertheleſs Examples are found different from this Cuſtom.

Tom. 3: Concil. p. 539.

Dioſcorus Biſhop of *Alexandria* was Ordain'd by two Biſhops; nevertheleſs the Fathers of the Council of *Calcedon* acknowledg'd him for a Legitimate Biſhop before his being depos'd, and frequently term'd him, the Moſt Reverend Biſhop. *Theodoret* Writes, that *Evagrius* was Conſecrated Biſhop of *Antioch* by *Paulin* only, and by this means choſe him his Succeſſor before his death; yet this did not hinder, but *Siricius*, and *Innocent*, the 1ſt Biſhops of *Rome*, and almoſt all thoſe of the *Weſt*, eſteemed him as a Lawful Miniſter. *Anatolius*, as *Euſebius* writes in his Eccleſiaſtical Hiſtory, received the Impoſition of Hands by *Theoteckna* Biſhop of *Caſaria*, in *Paleſtine*, and in making him Biſhop, made him alſo his Coadjutor, by reaſon of his great Age, it not appearing that any other Biſhop was preſent at this Ceremony, although it had been eaſie to have called others to it; it's true this hapned before the 1ſt Council of *Nice*; but beſides that the other Examples we have alledged are after this Council, it needs only to read the 4th Chapter of the 5th Book of *Theodoret*'s Eccleſiaſtical Hiſtory, where will be ſeen ſundry Inſtances, of Biſhops being Ordain'd by laying on of Hands of one Miniſter,

Hiſt. Eccleſ. l. 5. c. 23.

L. 7. c. 32. p. 288.

to

to which may be added the 19th Chapter of his Religious Hiſtory, and the 19th of the 8th Book of *Zozomen*'s Hiſtory, which makes mention of two ſeveral Ordinations made, or ready to be done, without any great neceſſity, by one ſole Biſhop, a great while after this Council of *Nice*. It is not then to be thought ſtrange, if our Diſcipline mentions but two, ſeeing alſo theſe two do repreſent the Synod or Colloque which deputed them, and that they do nothing but by virtue of the Power and Authority wherewith thoſe Bodies has inveſted them; and that moreover one alone may ſuffice for a due Ordination, as we have juſt now proved. But before ending this matter, one difficulty which offers muſt be reſolv'd, to wit, if Hands may be laid on two Miniſters at once; for it ſometimes happens in our Churches, that two are called together, and ſome are in doubt, and deſire to know if one Miniſter can give them both Ordination at the ſame moment. To which I anſwer, That if one conſider the Original of this Ceremony, and the Nature of the thing it ſelf, one may ſafely agree to lay hands on two Miniſters at once. As for the Original, and the Ceremony, every body knows it comes from Jeſus Chriſt, or rather from the Patriarchs, which practiſed it before their Children were Maſters of *Judea*; and 'tis not to be doubted, but Jeſus Chriſt and the Apoſtles derived this Cuſtom thence when they us'd it. If it appears then that any of the Patriarchs bleſſed two perſons at once, in putting one hand on the head of the one, and the other hand on the head of the other, it ſeems to me one is ſufficiently Authoris'd to give Impoſition of Hands to two Miniſters at the ſame time. Now to know if the Patriarchs did ſo, you need only read *Geneſis* 48. where *Jacob* bleſſed the two Sons of *Joſeph* purpoſely, ſetting his right hand on the

the head of *Ephraim* which was the younger, and his left on the head of *Manaſſeh*, which was the elder Brother.

But to remove all doubt and ſcruple, it needs only caſt an eye, on the nature of the thing it ſelf, that's to ſay, on the Prayer, which is indeed what is the eſſential part of theſe kind of Actions, the impoſing of the hand or hands being only a bare exterior geſture, to deſign thoſe for whom the Bleſſing of God is implor'd, that it may reſt upon them, as one may ſo ſpeak, much after the ſame way as the hands do ſtay on their heads; now no body does queſtion, but that one may pray for two as well as for one; thence it is, that in *Euſebius* his Hiſtory there is mention made, *to receive Prayers by the hand*, to ſignifie, to receive the Bleſſing of God by Prayer, and the laying on of Hands; ſo that in effect, 'tis as if he had ſaid, To receive the Bleſſing of God by Prayer, and the impoſition of Hands, as he ſpeaks in Chap. 1. Book 2. To conclude, The Ancients called this Ceremony, which they practiſed on ſundry occaſions, I ſay, they called it, *Prayers by the hand, or Prayers of the hand, or hands:* Or as St. *Auſtin* explains himſelf in ſome of his Writings, *The Prayer of Impoſition of Hands.*

L. 1. c. 13. p. 34.

Tom. 7. l. 2. c. 26. de pecc. mor. & rem.

IX.

Thoſe which are Elected ſhall ſubſcribe the Confeſſion of Faith ſettled amongſt us, and the Eccleſiaſtical Diſcipline, as well in the Churches where they are Ordain'd, as in thoſe whither they may be ſent.

CON-

CONFORMITY.

The former part of this Article which regards the Confeſſion of Faith, which thoſe are to ſign which are eſtabliſhed in the Miniſtry of the Church, relates in the firſt place to what was practiſed in the Primitive Church, where when one received the Office of Biſhop or Miniſter, one was abſolutely obliged to ſubſcribe to the Confeſſion of Faith of the Council of *Nice*, and by conſequence to what was determin'd in the three following Oecumenical Councils, touching the Divinity of the Holy Ghoſt, and touching the Perſon and two Natures of Jeſus Chriſt. Secondly, It refers alſo to the mutual Letters which the New Biſhops wrote to the others, to aſſure them they were of the ſame Communion, and that they had one and the ſame belief. See here a famous inſtance, and of the firſt Antiquity, that is, of the 3d Century, whereof *Euſebius* has preſerved us the memory in his Eccleſiaſtical Hiſtory, in his preſerving the Letter which the Fathers of the Council of *Antioch* (where *Paul* of *Samoſata* was condemned) wrote to all the Churches. In this Letter, amongſt other things, they give advice of the Ordination of *Domnus* into the Church of *Antioch*, inſtead of a Heretick which they had depoſed; and they give this intimation, That one may write to *Domnus* which was the lawful Biſhop, *and that Communicatory Letters might be receiv'd from him.* St. *Cyprian*, at the end of his 67th Letter to Pope *Stephen*, *Let us know*, ſaith he, *who has been ſetled at* Arles *inſtead of* Marcion, *to the end we may know to whom to recommend our Brethren, and to whom to write. Theophilus*, Biſhop of *Alexandria*, adverties at the end of his 1ſt and 3d Paſchal Letters, all the Biſhops of *Egypt*, of the ſetling of new Biſhops.

L. 7. *c.* 30. *p.* 282.

Tom. 3. Bibl. Pat. p. 94, & 112.

Biſhops inſtead of thoſe which were dead, and ſays to them, *Write to theſe, and receive from them, according to the cuſtom of Pacifick and Eccleſiaſtical Letters.*

As for Eccleſiaſtical Diſcipline, there are a great many Rules which oblige thoſe of the Clergy to obſerve the Canons, whereof the Diſcipline of the Ancient Chriſtians was made; ſo that neither Biſhop, nor Prieſt, nor Deacon, was admitted, who had not firſt ſubmitted to theſe Laws, and who did not acknowledg in ſubmitting to them, that 'twas by them he was to conduct the Souls which were committed to his care. I ſhould be too prolix to mention all the paſſages of Antiquity where Eccleſiaſticks are enjoyn'd to the practiſe of the Diſcipline, and obſerving of the Canons; it ſhall ſuffice to mention ſome, to juſtfy a Truth acknowledged by all thoſe which have applied themſelves to the Reading the Works of Ancient Doctors, and eſpecially of the Councils; That of *Carthage, An. Dom.* 419. *Appoints thoſe who are to impoſe hands on a Biſhop, or to any other Clergy Man, to let them know firſt of all the Decrees of the Synods, that ſo they might have no cauſe to repent of having done any thing contrary to the Statutes of the Council.* Pope *Celeſtin*, about the ſame time, thus begins his Letter to the Biſhops of *Poulia*, and *Calabria*, which is the third in Courſe; *That if it be not permitted to any Prieſt nor Prelate to be ignorant of the Canons, nor to do any thing contrary to the Conſtitutions of the Fathers; for what is it may be worthy of our care, if giving too great a latitude to the People, at the deſire of ſome perſons, the Rule of the Canons is infring'd.*

Cod. Afric. Juſtell. Canon 18.

Tom. 1. Concil. pag. 902.

The firſt Canon of the Council of *Calcedon*, requires that one obſerve all the Canons had been made till then in the Synods; the 33d of the 3d Council of *Orleans*, in the year 538, and the 6th of the 4th, of the year 541. with

Tom. 1. Concil. Gall.

541. with ſeveral others which I paſs over in ſilence, do enjoyn the ſame thing. The Fathers ſtop not there; for not content to have recommended to the Clergy the obſervation of the Canons, which alſo they have formally requir'd of them at the very moment of their Conſecration, it is in this manner the Fathers of the 4th Council of *Toledo* have explain'd themſelves in Canon 27. *Anno Dom.* 633. for they oblige the Prieſts and Deacons eſtabliſhed in Pariſhes, to promiſe the Biſhop to live Chaſt, and Holily, and Religiouſly to obſerve the Laws and Diſcipline of the Church; the 10th Canon of the 11th Council of the ſame place, aſſembled in the year of Chriſt, obliges all thoſe which take on them Holy Orders, to keep the Catholick Faith, and wholy to be ſubject to Canonical Rules; and that it ſhould not be thought 'twas only Prieſts and Deacons which were obliged to the ſtrict obſerving the Canons and Eccleſiaſtical Laws; the Council of *Merida* in *Portugal*, extended this obligation to Biſhops alſo, and to Metropolitans in the 4th Canon, *Anno Dom.* 666.

Tom. 4. Concil. pa. 589. Ibid. p. 824.

Ibid. p. 802.

X.

Miniſters ſhall not be ordain'd without aſſigning them a particular Flock, and ſhall be fit for the Flocks which ſhall be aſſign'd them; and one Church cannot pretend a right to a Miniſter by vertue of a particular promiſe made by him, without Approbation of the Colloque or Provincial Synod.

CONFORMITY.

The Council of *Calcedon* made a conſiderable Decree on this Subject, which is to be ſeen in the 6th of its Canons, where the Synod forbids to receive Prieſt nor

Deacon, nor any Eccleſiaſtical Perſon whatever, without aſſigning them a Flock; that is to ſay, without *a Title*, to ſpeak after the manner of the Writers of theſe times; it makes void all Ordinations which is not made in the manner it preſcribes, and ſuſpends the Miniſtry of thoſe which have been eſtabliſh'd in any other manner; by this means to correct the boldneſs of the Ordainers. But rightly to underſtand the ſenſe of the Canon, it muſt be obſerv'd that the Council calls abſolute *Ordination*, an Ordination which obliges not to any certain place; it is what the Greek terms import, uſed by him, which amounts juſt to what we ſay, *to Elect without aſſigning a certain Flock.* See here the terms of the Canon; *You muſt not lay hands on any body, neither Prieſt nor Deacon, nor on any in Eccleſiaſtical Orders, unleſs him that is to receive Ordination has been before publiſhed and named in ſome Church in the City or Country, or in ſome Martyrs Chappel, or in ſome Monaſtry; and as for thoſe who are abſolutely eſtabliſh'd, the Synod appoints, that the impoſition of hands be null, and that thoſe which received it, cannot ſerve in the Church; which ſhall reflect on thoſe which had done it.*

P. 639. c. 3. *Paris.* 1654. *France* cauſed the Execution of this Decree to be demanded of the Council of *Trent*, as we find by the Memoirs of Mr. *Du Puy*; and we have ſeen in the 4th Article, what the Emperor *Alexander Severus* ſaid of this practice of Chriſtians, which he mightily approved.

Tom. 3. Concil. p. 820. *Collect. Rom.* part 2. c. 14. p. 162. The Council of *Valentia* in *Spain*, preſcribes almoſt the ſame thing with that of *Calcedon*, in the Year 524. in the 4th Canon. *That none of the holy Biſhops do ordain any body, until he firſt promiſes to fix in one place, to the end, that by this means men ſhould not have liberty to ſhun the Rules of Eccleſiaſtical Diſcipline.* Pope *John* the VIII. in a Synod of 130 Biſhops, made this Decree; *Him that thinks fit to eſtabliſh a Prieſt, let him aſſign him a Church, where*

where he may ſtill reſide, ſerving the Lord. Atto, Biſhop of *Vercelli*, who lived in the Xth Century, cites the Canon of the Council of *Calcedon* in his Capitulary, *chap.* 30. and in his 31ſt he ſaith, *Churches ought to be built in Convenient places, conſecrate them by Prayers, and ſettle Paſtors in each of them.* Tom. 8. *Spirit. Duch.* p. 13. *Paris.* 1668.

However, Theſe Decrees hinder'd not, but there were ſome Perſons Ordain'd and Eſtabliſh'd in the Miniſtry of the Church, without being ingag'd to any particular Flock; as *Paulinus*, who afterwards was Biſhop of *Nole* in *Italy*; St. *Jerom*, and the Frier *Macedonius*, they were made Prieſts without aſſigning them Flocks; but this doth not prejudice what hath been ſaid; for the two former accepted only the Employ, wherein 'twas deſir'd to ingage them, only on this Condition, as appears by the 6th Epiſt of *Paulinus* to *Severus*, by the 45th to *Alipius*, and by the 61ſt of St. *Jerom*, chap. 10. As for *Macedonius*, ſomething of conſtraint was us'd in regard of him, if we credit *Theodoret* in the 13th Chapter of his Religious Hiſtory. To theſe Examples may be added that of the Friers *Barſes* and *Eulogius*, who by report of *Zozomen*, were made Biſhops for Honour ſake only, without aſſigning them any Church; however, *Barſes* in time was made Biſhop of *Edeſſa*, and *Enlogius* ſucceeded him.

XI.

Thoſe who are Ordained into the Miniſtry, are to underſtand they are enter'd into it for their whole life, if they are not lawfully diſmiſſed for good Conſiderations, and that by the Provincial Synod.

CONFORMITY.

The 7th Canon of the Council of *Calcedon*, *forbids thoſe that have been once admitted into the Clergy, to bear Arms, or to exerciſe any worldly Dignity*: that is, The Synod requires that they ſhould always abide in the Profeſſion they have taken upon them, and that they ſhould not forſake the Miniſtry of the Church. *Ruſticus*, Biſhop of *Narbona*, having writ to Pope *Leo* the Iſt, That he was ſo moved with the Scandals which daily happned, that he could wiſh to be freed from the Epiſcopal Office, to lead a more tranquile and quiet life; the Pope anſwering the Biſhops Letter, intimated to him, That he could not with a ſafe Conſcience forſake the Office he had undertaken, nor flinch from the Employment committed to his truſt. It is in this ſame Senſe that Pope *Felix* the IV. *Ann. Dom.* 528. wrote to *Cæſarius*, Biſhop of *Arles*, That the Eſtabliſhment of Church-Guides ought to be firm, and immutable. In the Year 895. there was a Council held at *Tribury*, near *Mayence*, compos'd of 22 Biſhops, which in the 17th Canon renew'd that of *Calcedon*, which we above cited, and which anathematiz'd thoſe of the Clergy which did not repent of having left their Cures, and which did not return to them. Pope *Calixtus* the II. aſſembled a Council at *Tholouza*, the Canons whereof are inſerted in the 18th Chapter of Monſieur *De Marca*'s 8th Book, *De Concordia Imperii & Sacerdotii*. The 10th of theſe Canons Excommunicates the Clergy we ſpeak of, *until they have repented of their prevarication*. A great while before, to wit, in the Vth Century, and before the aſſembling of the Council of *Calcedon*, St. *Cyril* of *Alexandria* complains of this Abuſe in his Canonical Epiſtle; *There is*, ſaith he, *another thing which doth not agree with*

Tom. 1. Conc. *Gall.* p. 111.

Tom. 1. Conc. *Gall.* p. 254.

Tom. 7. Conc. p. 153.

Tom. 5. Part. 2. p. 211. *Paris.* 1638.

with the Decrees of the Church, which is, That there are Prieſts which preſent Renunciations by writing; for if they are worthy to exerciſe the holy Miniſtry, they muſt reſide on it; and if they are not worthy, they do not leave it for their Reſignation, but becauſe their own Deeds condemn them. Thence it is, that *Loup*, Abbot of *Ferriers* in *Gattinois*, ſaid in the IXth Century, *That as nothing but Adultery could diſſolve carnal Wedlock, ſo alſo it is not permitted to lay aſide the Paſtoral Charge once received, whilſt one may contribute to the good of the Flock.* Ep. 2 *Paris* 1664.

Nevertheleſs, there are ſundry Examples of thoſe which in divers times, and in divers places, have for quietneſs ſake renounced the Miniſtry; that is, they have forborn exerciſing the Functions, and exerciſing the Office of a Biſhop: thus was was it done by *Euſtathius*, Metropolitan of *Pamphilia*, to whom the Oecumenical Council of *Epheſus*, in the year 431. preſerv'd the Name, Honour, and Communion of a Biſhop. *Martirius*, Biſhop of *Antioch*, withdrew himſelf by reaſon of the Extravagance of his Clergy, the Diſobedience of his People, and the Corruptions of his Church; but in preſerving to himſelf the Honour and Dignity of the Miniſtry, as *Theodorus Lector* writes in his Eccleſiaſtical Hiſtory. In the next Age there hapned almoſt the ſame thing to *Paul*, Biſhop of the ſame City of *Antioch*, in the VIth Century: and in the very Infancy of Religion, St. *Clement*, Diſciple of the Apoſtles, adviſed Paſtors, whoſe Churches were not well ſatisfied with them, he counſell'd them to go elſewhere, and to acquieſce to the deſire of the People, aſſuring them to obtain a great degree of glory in Chriſt Jeſus; adding, That thoſe who have lived according to the Rule God has preſcrib'd, has always, and will ever do after this manner, becauſe they ought to deſire nothing more than the Peace and Edification of the Churches. Tom. 3. Conc. p. 428, 429. L. 1. p. 555. Tom. 3. Conc. p. 800. Ep. ad Cor. p. 69.

Pope

Pope *Innocent* the IIId, in the 1ſt Book of Decretals, tit. 9. cap. 10. *Niſi cum pridem*, propoſes ſundry Reaſons wherefore it may be permitted to renounce the Conduct of a Flock; for inſtance, The reproach our Conſciences makes us of ſome Crime, infirmity of Body, want of Knowledg, the wickedneſs of the People, ſome grievous Scandal, or ſome perſonal Irregularity; theſe are the Reaſons for which this Pope thought one might deſire to be diſcharg'd from the Miniſtry of the Church.

XII.

The Office of Miniſters is principally to Preach, and declare the Word of God to their People; and they ſhall be deſir'd to abſtain from teaching in any ſtrange way, not tending to Edification, and conforming to the Simplicity, and ordinary Stile of God's Spirit, taking heed there may be nothing in their Sermons which might bring any prejudice to the Honour and Authority of the Holy Scriptures. They ſhall not Preach without chuſing for the Subject-matter of their Diſcourſe, ſome Text of the Bible, which they ſhall keep cloſe to; and their Text they ſhall take, and explain the beſt they can, avoiding all unneceſſary Amplifications, tedious and needleſs Digreſſions, of many Paſſages of Scripture, not pertinent to the matter in hand; and of reciting various Expoſitions. They ſhall be moderate in alledging the Writings of Ancient Doctors, and much leſs Prophane Authors, and Hiſtories. They ſhall not deliver their Doctrine in Scholaſtick manner, nor intermix with ſtrange Languages. To conclude, Let them avoid every thing that may tend to Oſtentation, or any way give Occaſion to ſuſpect it; to which the Conſiſtories, Colloques and Synods, ſhall take ſpecial heed.

CON-

CONFORMITY.

The Preaching of the Word being the principal duty of the Holy Miniſtry, the Compilers of our Diſcipline have taken particular care exactly to preſcribe to Miniſters the Subject and Manner of doing it; theſe are the two things contain'd in this great Article; As to what regards the Subject of their Sermons, it muſt always be taken in the Holy Scripture; The Council of *Laodicea* calls it, *The Diſpenſation of the Word of Faith, and of the right and true Word*; and it is with regard hereunto, that of *Carthage*, Ann. 398. appoints in the 20th Canon, *That the Biſhop ſhould apply himſelf only to Reading, Prayer, and Preaching of the Word of God.* The Council of *Tolledo*, aſſembled in the Year of our Lord 675. employs the 2d of its Canons to preſcribe to Paſtors their Duty, ſaying, They ſhould always have in their mouth the Sword of Truth, be powerful in exhorting by holy Doctrine, and to convince Gainſayers; and not to turn aſide from reading the Holy Scriptures, ſeeing they have received the Office of Preachers: And having obſerv'd that the dumb Miniſter is not fit to inſtruct his Flock, The Aſſembly declares, That the true Paſtor ought to find out thoſe who are under his care, either to inſtruct them without arrogance, if they are ignorant; or to rejoice with them for the progreſs they have made in the knowledge of the Myſteries of their Salvation. The Council of *Reims*, in the Year of our Lord 813. enjoins Biſhops and Paſtors in the 14th Canon, *To preach the Word of God to all the World.* The VIth of *Arles*, in the ſame year, requires that all the buſineſs of Biſhops ſhould be Inſtruction, and Preaching, becauſe Ignorance is the Mother of all Errors; and that the Word of God ſhould be taught, not only in Cities,

Can. 12.

Tom. 1. Concil. p. 728.

Tom. 4. Concil. p. 820.

Tom. 1. Conc. *Gall.* Ibid. c. 3, & 10.

Cities, but alſo in the Pariſhes. In the Year 858. *Herrald*, Biſhop of *Tours*, made a Capitulary, taken out of Ancient Canons, in the 9th of which he appoints, *That Prieſts ſhould preach to all the Faithful, the Doctrines of Faith, the Incarnation of Jeſus Chriſt, his Death, Reſurrection, his Aſcenſion, the Gift of the Holy Ghoſt, and the Remiſſion of Sins.* To all which may be added the 58th Canon of the Apoſtles.

Tom 3. Conc Gall. p. 111.

If after the Decrees of Councils, we conſult the Ancient Doctors, they will alſo teſtify, that Miniſters are particularly called to Preach the Goſpel, and to declare to their Hearers the word of Truth; *My Sheep*, ſaid to this purpoſe *Gregory Nazianzen*, *My Sheep hear my voice*; that is to ſay, that which I have received from the Divine Oracles, which I have preached ever after one manner throughout the whole courſe of my life, without complying with the Times, and which I will never forbear to preach; and St. *Jerom* in his 3d Book of Commentaries upon the 16th Chapter of *Jeremiah*, ſaith, *It is the Duty of Paſtors to teach*; it is what the putting the Bible on their head at their Ordination ſhould put them in mind of.

Orat. 25. p. 440.

Tom. 4. p. 266.

This will appear yet more plainly, if after having conſider'd the Subject and Argument of Miniſters Preaching the Goſpel, we alſo examine the Matter, which according to our Diſcipline, ſhould be plain, conformable to the Scripture, fit to Edify, free from intricate School-queſtions, and from all Oſtentation. Let us now inquire if the Ancient Chriſtians did otherwiſe. The Council of *Carthage*, in the Year 398. which we have often cited, deſires in the 1ſt Canon, *That the Doctrines of Faith ſhould be taught with ſimplicity.* *Origen* in his 16th Homily upon *Leviticus*, deſires the Word may be preached to purpoſe. and that one ſhould accommodate himſelf to the

Tom. 1. p 110. *Paris.* 1574.

Ibid. p. 185.

Capacity

Capacity of each perſon in giving Milk to ſome, and ſtrong Meat to others; and in the 7th *Hom.* upon *Joſhua*, he adviſes to ſhun the beauty, pomp, and ornament of Rhetorical Philoſophers, Poets, and Writers of the Age, of whom *Valentine*, *Baſilides*, and *Marcian*, learn'd their Hereſies: In the 9th Book of his Commentaries on the 12th *Chap.* of the Epiſtle to the *Romans*, he ſaith, So much care muſt not be taken to pleaſe the Hearers, as to work on their Affections, and to inſpire into them the love of Vertue; obſerving on this occaſion, that it often happens, that the moſt Eloquent and ſublime Preachers, only tickle the Ears with pleaſing words of humane Learning, but do not work on the heart; whereas many times thoſe which ſtudy plaineſs, and preach without affectation, convert many to the Faith, humble the Proud, and bring Sinners to repentance. Ibid. l. 2. p. 393.

St. *Baſil* in his Morals, ſaith ſeveral things which agree very well with the Article, whoſe conformity we ſeek to find with the ancient Diſcipline of the Primitive Chriſtians: For Example, *That one muſt not teach otherwiſe than we have learned in the Goſpel; that we muſt preach all things our Saviour has preſcrib'd to us in the Goſpel, and by the Miniſtry of his Apoſtles, and all things conformable to them; That thoſe to whom the preaching of the Goſpel is committed, ſhould not conceal any thing which is pleaſing to God, fearing leſt they ſhould render themſelves guilty of the death of thoſe which periſh; That the Word of God muſt not be preach'd for Oſtentation, nor flatter thoſe which hear it, the more to ſerve our own Pleaſure or Conveniencies; but act as if we ſpoke for the glory of God in his preſence; and that to preach the Goſpel one muſt not make uſe of any Prerogatives or Advantages that ſhould advance us above others, fearing leſt the grace of God ſhould be fruſtrated thereby.* There can nothing in the World be ſeen more conformable to our Diſcipline. Tom. 2. Reg. 70. C. 5, 6, 7, 23, 26.

In the main, all I have ſaid on this Article is grounded on the Precepts and Example of St. *Paul*; I ſay on his Precepts, *Hold faſt*, ſaith he to *Timothy*, *the form of ſound words which thou haſt heard of me, in faith and love, which is in Chriſt Jeſus. Of theſe things put them in remembrance; charging them before the Lord, that they ſtrive not about words to no profit, but to the ſubverting of the hearers. Preach the word, be inſtant in ſeaſon, out of ſeaſon; reprove, rebuke, exhort, with all long-ſuffering and doctrine, reproving thoſe who having itching ears*, make teachers after their own minds. I ſay in the next place, according to his Example; for he declares, That Jeſus Chriſt ſent him not to Baptize, but to Preach; not with wiſdom of Words, nor with excellence of Speech; and that his Preaching was not in flattering words of humane Wiſdom.

2 Tim. 1. 13. & 2. 14. & 3. 2. 2 Tim. 3. 3. 1 Cor. 1. 17. & 2. 14.

XIII.

The Churches are warned more frequently to uſe Catechiſing, and Miniſters to treat and Expound it by ſuccinct Queſtions and Anſwers, ſimple and familiar, accommodating themſelves to the Peoples capacity, without entring into long Common-place Diſcourſes: It is alſo the duty of Miniſters to Catechiſe each one of their Flock, once or twice a year, and to exhort every one to come diligently to be Catechiſed.

CONFORMITY.

The Inſtruction of the People being the End which Jeſus Chriſt propoſed in eſtabliſhing the Miniſtry of the Word, it is worthy the prudence of thoſe which are called to teach others, to begin by thoſe things which are the chiefeſt Eſſentials of Religion, and which are the eaſieſt

eaſieſt to be underſtood, as are the fundamental Points of Religion; the Summary whereof we have contain'd in the Apoſtles Creed: therefore it was that in the Primitive Church, Catechiſms were inſtituted, wherein was familiarly explained to the Catechumeny, the Doctrines of Heaven, the knowledge whereof is neceſſary to Salvation, and without which they could not receive the benefit of Baptiſm. Of this kind, for inſtance, are the Catechiſms of St. *Cyril* of *Jeruſalem*, wherein he explains the Articles of the Creed proportionable to the Capacity of thoſe whom he inſtructed, to put them into a ſtate fit to receive Baptiſm, and to be plung'd in the Myſtical Waters of this Sacrament of our Regeneration. But to aſcend higher than St. *Cyril*; from the very firſt beginning of Chriſtian Religion, there were publick Schools at *Alexandria*, and places appointed for this Exerciſe, and where the rudiments of Faith was taught; or, as the Apoſtle ſpeaks, *The rudiments of the firſt beginning of the word of God*. In the 2d Century, *Pantenus*, an Eminent Philoſopher, kept this School, and then exercis'd the Office of Catechiſt: *Clement* of *Alexandria* ſucceeded him, and he had *Origen* for his Succeſſor, aged but 18. years. *Origen* left the Conduct of this School to *Heraclas*, and *Heraclas* to *Dennis*; and theſe two laſt were ſucceſſively Biſhops of *Alexandria*. The Authors of our Diſcipline had therefore good reaſon to exhort the Churches to have frequent Catechiſing, which is of great benefit, and ſingular edification.

Euſeb. Hiſt. l. 5. c. 10. & l. 6. c. 6. Can. 3. & c. 26. Can. 15, & 29.

XIV.

Miniſters, with their Families, ſhall actually reſide in their Churches, or Pariſhes, under pain of being depos'd from their Office.

CONFORMITY.

In the firſt Ages, Paſtors were ſo full of zeal for the Glory of God, and ſo induſtrious for the Edification of their Flock, that 'twas ſuperfluous to exhort them to Reſidence, ſeeing they had no other thoughts but to do it in the places aſſigned to their care, and where the Families lived which were committed to their conduct; neither do we find in thoſe times any Canons which enjoyn them to this Reſidence, becauſe they themſelves of their own free will were inclin'd to do it; and that 'twas not heard of that a Paſtor did not dwell in the midſt of the Flock to whom he owed his care and preſence. St. *Cyprian* complained of certain Biſhops which incumbring themſelves with ſecular affairs, abandoned their Churches, and the care of that holy adminiſtration whereof they were to render an account to our Saviour: And in his 56 Epiſtle to thoſe of *Thibari*, he ſheweth, that in the preſent conjuncture, he could not ſafely leave his Church, and the People God had committed to his Charge.

De Lapſis.

St. *Ambroſe* ſufficiently teſtifies that he was really perſuaded of the neceſſity of Reſidence, when he wrote to the Emperor *Theodoſius*, that if the dread he had of the Tyrant *Eugenius* had oblig'd him to quit *Millan* for a little time, yet he returned thither as ſoon as the ſtorm was paſt over; *I haſtned*, ſaith he, *to return as ſoon as ever I heard that him whoſe preſence I thought I was bound to ſhun, was gone: for I forſook not the Church of* Millan, *which the Providence of God committed to my care; but I deſir'd not to ſee him that made himſelf guilty of Sacriledg.* He ſpeaks of *Eugenius*, who uſurped the Empire after having cruelly put to death the Emperor *Valentinian* the youn-

Lib. 7. Ep. 58. To. 5. p. 322. Par. 1632.

younger. This holy Doctor elſewhere repreſents the damages occaſioned to the Church by the abſence of its Paſtor, eſpecially when he obſerves the People omit frequenting the Holy Exerciſes, and not only the People, but alſo the Clergy themſelves become more remiſs in things of Piety and Religion. St. *Auſtin* declares plainly in the 138 and 227 Epiſtles, that he never forſook his Church but upon indiſpenſible neceſſity.

In a requeſt preſented by ſome Friers to the Emperors *Theodoſius* the Younger, and *Valentinian* the Third, againſt *Neſtorius*, they accuſe him amongſt other things, That for the executing his outrages, he employed foreign Clerks which he made come from other parts, that is to ſay, other Clergy beſides his own: *Altho according to the Eccleſiaſtical Canons, ſay they, they are not permitted to live in another Dioceſs, or in another Church, but only in thoſe places and Cities where they received Ordination by the Impoſition of hands, there to reſide peaceably.* Tom. 2. Conc. pag. 222.

It is not eaſie to affirm with certainty, if the Canons whereof they ſpeak were reduced into writing, or rather if they were not cuſtoms and uſes ſetled in the Churches by long practice; for this term of *Canon or Rule*, has ſometimes this ſignification in the writings of the Ancients; and what induces me to think ſo, is, That till the Fifth Century, when this requeſt was preſented, it was not very needful to make Canons to oblige Paſtors to reſide in their Churches, if it be not that one may apply to this Reſidence the Canons which prohibit the Tranſlation of Biſhops from one place to another, whereof we ſhall treat hereafter.

I know very well, that the Council of *Sardis* had in the year 347, made ſome Decrees which in ſome ſort regarded Reſidence; but beſides that theſe Canons were not much known in the *Eaſt*, they were not properly made

made for eſtabliſhing of Reſidence, nor preciſely to oblige Biſhops thereunto, but only to inform them in preſuppoſing it as an indiſpenſible Obligation, in what occaſions, and for what time they were permitted lawfully to be abſent from their Churches; in effect, in the eighth Canon, the Fathers of *Sardis* allow Biſhops may go to Court if the Emperor ſend for them, or if the protection and defence of the Poor, of Widows, and Orphans oblige them to it: It is true, that in the ninth and tenth Canons they reſtrain the permiſſion granted in the former, and do not permit Biſhops to go themſelves to Court, but when they are called by the Prince; nevertheleſs they agree they may ſend one of their Deacons to obtain ſome favour in behalf of diſtreſſed perſons; but they conſent to it upon prudent and judicious reaſons, and which are to be lookt upon as neceſſary precautions againſt the ambition of Biſhops, to whom the ſame Council poſitively forbid, *To be abſent from their Churches above three Weeks, unleſs ſome preſſing neceſſity conſtrain them to it.*

Can. 14, 15.

When under the ſecond Branch of our Kings, the Prince caſt his eye on any Biſhop to make him his Arch-Chaplain, he was forced to demand leave of the Synod and Pope, the Biſhops of *Rome* having already got great power in *France*; I ſay he was forced in ſome ſort to deſire their leave to get him away from his Church, to have him near his perſon, becauſe every body was then perſwaded that Paſtors were bound in Conſcience to make their Reſidence in the midſt of their Flocks.

Con. *Fran.* cap. 55. Tom. 2. Conc. *Gall.* p. 217.

I believe Plurality of Livings, as is ſpoken at this time, has given a mortal blow to the caſe of Reſidency, and has by this means introduced ignorance into the Church, and together with Ignorance, Superſtition, which is the Daughter of Ignorance; this wicked cuſtom was a long while

while unknown amongſt Chriſtians, ſeeing the firſt Canon which formally condemns it, is, if my memory fail not, the fifth of the ſixteen Council of *Toledo*, aſſembled the year of our Lord 693. I confeſs that the tenth of the Council of *Calcedon* forbids Clerks to inrole themſelves in two Churches at once; but that of *Toledo* is formal on the matter I examin, *That there be not granted to one Prieſt ſeveral Churches, becauſe he cannot do ſervice in all, nor help the People in the Prieſtly Functions.* Since that time, this ſort of prohibitions have been frequent in the *Weſt*, as may be eaſily made appear, were this the place to do it; it ſhall ſuffice to alledg at preſent, the demand which *Charles* the Ninth cauſed to be made by his Ambaſſadors at the Council of *Trent*, That but one Benefice be conferr'd on one perſon, in taking away as to what regards Plurality, the difference of Benefices, Compatibles, or Incompatibles, becauſe this diſtinction which is new, and unknown to ancient Decrees, has alſo occaſion'd great Evils to the Catholick Church, and that Regular Benefices be given to Regulars, and Secular ones to Seculars, and that for thoſe which at preſent enjoy two or more, either that they hold only that which they ſhall make choice of in a little time, or that they ſuffer the puniſhments inflicted by the ancient Canons.

However it be, zeal being grown cold, and Paſtors abating in the care they formerly took in the Edification and Salvation of thoſe committed to their charge, there was an abſolute neceſſity of making Laws to enjoyn Reſidence; whereas formerly, they did it of their own free-will and inclination, to diſcharge their Conſciences of the Duties of their calling. Pope *Eugenius* the Second, ſeeing in the Ninth Century they diſpenſed themſelves from dwelling with their flock, made a Decree in a Synod held at *Rome*, having this Title, *That Biſhops do not*. Coll. Rom. p. 2. c. 6, 7. p. 23, 24.

not live out of their Dioceſſes; the Canon is conceiv'd in theſe terms, *Biſhops ſhould keep always at their Churches, to labour with Piety for their edification, becauſe the abſence of the Biſhop many times becomes the misfortune of the People*: And in the following Canon he will have Cloiſters built near the Churches for the Dwellings of inferior Clerks, to the end they may give attendance to the ſtudy of Eccleſiaſtical Diſcipline. The Council of *Meaux* Anno 845, made another Ordinance much like it, *That Prieſts be not ſuffer'd to lodg abroad where they liſt, but that they keep always at their Churches, by reaſon of Divine Myſteries, and to yield to Litanies the ſervices they owe to them; and that they have not liberty to dwell elſewhere.*

Tom. 3. Conc. *Gal.* c. 36 p. 42.

After abuſes had in this regard crept into the Church, it cannot be doubted but many Settlements were made to reſtore things to the ancient Model, and to ſhew the neceſſity and importance of it, becauſe in truth the Obligation of Reſidency is greater than moſt people are aware of, ſeeing that Paſtors are obliged wholly to their Flocks, and all the parts of their Miniſtry is deſtin'd for them: Nevertheleſs whatever Decrees have been made to eſtabliſh the ancient Diſcipline, it could not be prevented, but in theſe latter ages an extream negligence has ſucceeded in the practice of ſo holy and ſacred a cuſtom; therefore in the days of our forefathers, the queſtion of Non-reſidence was debated with much heat in the Council of *Trent*, inſomuch that the *Spaniſh* Prelates were ſo ſtiff, that they declared it was *Jure Divino*, of Divine Inſtitution; which alarm'd the Legates, and gave a furious ſhock alſo to the Court of *Rome*; for 'twas foreſeen if this Article ſhould paſs, a part of the Pope's Authority ſhould be retrenched, the Plurality of Benefices, which has occaſioned ſo great miſchief in the Church, ſhould be aboliſhed, and the Cardinals ſhould be

Hiſt. du Conc. lib. 6. p. 592. ad 600. & p. 621. ad 636. avec le livre 2. p. 309, 310, 311. a *Troys* 1627.

be depriv'd of that which ſupported the ſplendor of their Purple Robes, in depriving them of Benefices for Non-reſidence; but means were found to allay theſe heats, and to compoſe matters to the ſatisfaction of the Biſhop of *Rome*, and his Court: However this ſame Council in the *24th.* Seſſion, and in the Decree of Reformation, ſeems to have preſcribed ſome remedy to the evil which ariſes by Non-reſidence, but it did it in ſuch a manner, as it left the door open to the abuſe, which far from diminiſhing, has increaſed more and more.

But that there may not be any conteſt on occaſion of our Diſcipline, enjoyning Miniſters and their Families, to make actual reſidence in their Churches, that is, with their Wives and Children, as if the Ancient Biſhops were never Married, and as though they never lived in their Churches with their Families; it's neceſſary to juſtify our Practiſe by ſome Examples: The firſt ſhall be that of the venerable old *Cheremon*, Biſhop of *Nile* in *Egypt*; for *Euſebius* mentions in the 42d Chapter of the 6th Book of his Eccleſiaſtical Hiſtory, That when the Perſecution of *Decius* raged, he retired into a Mountain with his Wife, who never forſook him: And in the 9th Chapter of the 8th Book, he makes mention of *Phileas* Biſhop of *Thmuis* in *Thebaide*, who ſuffer'd Martyrdom under *Diocleſian*, although the Judge which condemn'd him, did what he could poſſible to make him renounce Jeſus Chriſt, in exhorting him eſpecially to have pity of his Wife and Children. *Spyridion*, Biſhop of *Trimythunte* in the Iſle of *Cyprus*, in the days of the Emperor *Conſtantine*, liv'd in his Church with his Wife and Children, as is witneſſed by *Zozomen*; *L. 5. c. 11.* It's only needful to Read the 22d Chapter of the 5th Book of *Socrates* his Eccleſiaſtical Hiſtory, to ſee ſundry Examples of Biſhops that were Married and liv'd with

their Wives. It cannot be doubted but *Syneſius* did ſo, ſeeing he accepted not the Biſhoprick of *Ptolemais* but on thoſe terms, as he himſelf tells us in his Hundred and fifth Letter: And 'tis very likely the greateſt number of the *Eaſtern* Biſhops lived in their Churches with their Wives and Children until the end of the 7th Century; That the 6th Council appointed that they ſhould put away their Wives, and that they ſhould no longer cohabit with them, Can. 12. which they were ever permitted to do before this Decree, according to the remark of the Frier *Blaſtares in Syntagm. Alphab. Litt. G. Cap.* 16, *&* 17. Beſides that, in this ſame Canon the Fathers acknowledg'd, that there were ſeveral Biſhops in *Lybia*, in *Africa*, and elſewhere, that lived with their Wives; which agreed very well with the 5th Canon, called the Apoſtles, which forbids Biſhops, Prieſts, and Deacons, under pain of Suſpenſion, and even of Depoſing, to ſeparate from their Wives, under pretext of Religion.

XV.

Thoſe to whom God has given the talent of writing, are admoniſh'd to do it in a modeſt way, and befitting the Majeſty of Heaven, and conſequently not to write in a ridiculous and injurious manner; the which gravity and modeſty they ſhall alſo obſerve in their uſual Sermons. Thoſe who have received the gift of Writing ſhall be choſen by the Provinces; and if it happens any Book be Publiſh'd againſt the Orthodox Religion, it ſhall be ſent to them that they may anſwer it, a Colloque being deputed in each Province to inſpect what ſhall be Writ and Publiſh'd, to diſpoſe of the Copies as ſhall be thought fit.

CON-

CONFORMITY.

There was never greater Liberty of Writing than in the firſt Ages of the Church, at which time every body writ in the manner which he thought beſt and moſt convenient, without being obliged to communicate his Works to any to be Examin'd for their Approbation; nevertheleſs, ſeeing there has been at all times amongſt Chriſtians, ſome Biſhops and Paſtors fitter for this purpoſe than others, ſuch were for the moſt part employ'd for the defence of the Truth againſt Schiſmaticks and Hereticks. It was for this Cauſe that the Book of *Phœbadius* or *Phœgadius*, Biſhop of *Agen* in *Guien*, written againſt the *Arrians* of the *Eaſt* and *Weſt*, holds the Degree of the Epiſtle of a Council of *Vaiſon*, of the Year 358. and bears the Name in the Supplement of the Councils of *France*. St. *Auſtin* even to his Death, was the Pen of *Africa* againſt the Enemies of the Church, particularly againſt the *Donatiſts* and *Pelagians*; and St. *Fulgentius*, in the following Age, ſucceeded him in a manner, in the ſame Office, eſpecially during the time that above Sixty *African* Biſhops, of which Number he was one, was Exil'd into the Iſle of *Sardegnia*; for although he was the youngeſt of them all, the Author of his Life does obſerve, that he was the *Mouth and Spirit*: And it may yet be ſaid of theſe two famous Writers, That they exactly obſerved the Modeſty, Sobriety, and Decorum preſcribed by our Diſcipline, to all thoſe who put Pen to Paper for the Defence and Vindication of Truth; Examples which ſhould be carefully imitated; and in the mean time, condemn the raſhneſs of *Agobard* Biſhop of *Lyons*, who Writing in the 9th Century againſt *Amalarius Fortunatus*, cruelly

P. 3. *Paris* 1666.

rails againſt him; and much more that of *Lucifer*, Biſhop of *Caillari*, againſt the Emperor *Conſtantius*, in the Library of the Fathers, *Tom.* 9. of the Edition of *Paris*, 1644.

XVI.

Miniſters ſhould not pretend Precedency one over the other.

CONFORMITY.

S. *Jerom* informs us in in his Commentaries upon the Epiſtle to *Titus*, and in his Letter to *Evagrius*, That at the beginning of Chriſtianity, the Churches were Govern'd by the joynt advice of the Prieſts, or Elders, and this form of Government laſted, *until that by the inſtinct of the Devil, there aroſe Parties in Religion*, ſaith the ſame St. *Jerom*; for then recourſe muſt be had to Election; ſo that to avoid Schiſms and Diviſions, one of the Company was choſe, to whom Election gave the precedency to all the reſt; whereas before, it was the time of promotion, as is teſtified by the Deacon *Hillary*, in his Commentaries upon the 4th Chapter of the Epiſtle to the *Epheſians*, amongſt the Works of St. *Ambroſe*; for he ſaith, *That at firſt, the Prieſts were called Biſhops, and that the one being Dead, the other Succeeded*; that is to ſay, That it was granted to the Ancienteſt Prieſt in promotion, to bear the firſt rank or place; this primacy, being a primacy of Order, and not of Power and Authority over others, the only primacy forbidden by our Diſcipline; in effect, the firſt admitted, held the firſt place in the *Pesbytery*, juſt as the Dean amongſt Councellors of Parliament, or as the Dean of Prebends in a Chapter.

From

From hence it is alſo, that after the Eſtabliſhing of the Hierarchy in the Church, Equality was ſtill obſerved amongſt the Clergy, except 'twas in the Power of Metropolitans over the Biſhops of their Provinces; and alſo it was a very limitted Power, ſeeing it conſiſted only in the right of calling the Synods of their Provinces to preſide, and to take notice of all Eccleſiaſtical matters which paſſed in the compaſs of their Diſtrict only; but could not decide, nor determin, without the conſent of their Suffragans, after the manner of ſpeaking at this time. As for all the reſt, they had no kind of prerogative, but the Order, according to the time of their Reception, the which is punctually obſerv'd amongſt us; and accordingly, St. *Auſtin* finds it ſtrange, that in the Letter which the Primate of *Numidia* writ to his Brother Biſhops to Aſſemble them in a Synod, I ſay, he thinks it ſtrange, to ſee himſelf named the third in it, knowing that there were ſeveral others before him, *which*, ſaith he, *is injurious to others, and expoſes me to envy.* And in the Life of St. *Fulgentius*, Biſhop of *Ruſp* in *Africa*, which the Jeſuit *Chifflet* caus'd to be Printed at *Dijon*, *An. Dom.* 1649. with the Works of the Deacon *Forran*, it is obſerved Chap. 20. That in the Aſſemblies of Exil'd Biſhops in *Sardignia*, he was ſeated loweſt of all, although he was the moſt conſiderable in Worth and Value, becauſe he had been laſt of all Ordain'd to be Biſhop. The 86th Canon of the *African* Code ſo appoints it; the 24th of the firſt Council of *Prague*, in the Year 563. Ordains the ſame thing; as alſo the 3d of the 4th Council of *Toledo*, in the Year 633. and the 112th Letter of *Gregory* I. his 7th Book; to which we may add the 6th Letter of *Hincmar*, *Chap.* 16. in the 16th *Tome*, of the Library of the Fathers, *Page* 408. It is the Reaſon that in *Africa*, one was enjoyn'd

Ep. 207. To. 2.

Tom. 4. Conc. p. 422.

Ibid. p. 581.

joyn'd to obſerve the preciſe day of Promotion, and the Conſulat. *African* Code, Can. 89. which is the 14th of *Mileva*. *Theodore* Archbiſhop of *Canterbury* held a Synod *Anno* 679. the 8th Canon whereof is conceiv'd in theſe terms, *Let no Biſhop prefer himſelf before another through ambition; but let every one know the Time and Order of their Ordination.*

Apud Bedan. Hiſt. l. 4. c. 5.

XVII.

Miniſters ſhall preſide in Order in their Conſiſtories, to the end that none might pretend ſuperiority over each other; and none of them ſhall give teſtimony of any matter of importance, until they have firſt communicated it to the Miniſters, his Brethren and Companions.

CONFORMITY.

This Article is only a continuance of the former; for if there is to be an Equality amongſt Miniſters, ſo that they cannot pretend ſuperiority one above the other; it is juſt that when there are ſeveral in one Church, that they ſhould preſide every one in his Turn and Rank in the Conſiſtory, and that none of them ſhould do any thing of his own head, without taking along the advice of his Brethren, and even of all thoſe who have ſhare in the conduct of the Flock, eſpecially when there is queſtion of any thing of importance.

XVIII.

Heed ſhall be taken to avoid the Cuſtom practis'd in ſome places, of deputing certain Miniſters, by the Provincial Synods, to viſit Churches; the Order hitherto uſed being ſufficient

cient to have cogniſance of abuſes: And this new ſort of Offices and Degrees are condemn'd, and look'd upon to be of dangerous conſequence; as alſo are to be rejected all Titles of Superiority, as Ancients of Synods, Superintendents, and others of like nature. The Advertiſements for Aſſembling Colloquies and Synods, or any thing relating thereunto, ſhall be addreſſed to a Church, and not to a private Miniſter, or other particular Member of it; if they ſhould happen to be directed to one of the Miniſters or Elders, for ſome conſiderations, thoſe which ſhall receive them, ſhall carry them to the Conſiſtory, to adviſe and deliberate of them.

CONFORMITY.

There is nothing in this Diſcipline which is not intirely agreeable to the Primitive, according to which every Biſhop was only obliged to viſit his Dioceſs once a Year; but he was not permitted to viſit any other but his own: I ſay, in the firſt place, he was obliged to viſit his Dioceſs, as may eaſily be proved by a great many Canons, the 8th of the Council of *Tarragona*, in the Year 517. is formal in it; *We appoint by this Conſtitution, That the Ancient Uſe be obſerv'd; and that each Biſhop viſit the Churches of his Dioceſs.* The 35th of the 4th of *Toledo*, in the Year 633. renewed this Decree, with this Clauſe, *That if the Biſhop were ſick, or employed elſewhere, he ſhould cauſe the Viſitation to be made by ſome of his Prieſts or Deacons:* This reſtriction opened the door to the negligence of Paſtors, which did that by others, which they ſhould have done themſelves; whereas had the Canon of *Tarragona* been left in its force, and without bringing any qualification to it, the Biſhops would not have failed punctually to have obſerved it. Nevertheleſs, the Council of *Trent*, in the 24th Seſſion, *Chap.*

Tom. 3. Concil. *Paris*, p. 803. 1636.

Chap. 3. of Reformation, made no difficulty to follow the mitigation of the Council of *Tolledo*, although it does but too much favour the ſtupidneſs of Overſeers, which our Kings having mutually conſider'd, in the 9th Century, they made ſundry Ordinances, whereby they enjoin'd Biſhops themſelves only, to viſit yearly their Dioceſſes, *Lib.* 7. *Capit. Cap.* 94, & 109. of the Edition of *Paris* 1588. There are beſides ſeveral other Capitularies which preſcribe the ſame thing, but are not neceſſary here to be recited.

Therefore I proceed to the other Conſideration, To ſhew that a Biſhop had no right of inſpection, but on his own Dioceſs; beyond which he was not permitted to meddle. Thence it was that the Council of *Antioch*, in the Year 341. declares in the 9th Canon, That each Biſhop has power in his own Dioceſs, prudently to Govern it, and to take care of the whole Circuit which depends of the City where he dwells; and in the 22d Canon this Rule is made, *That a Biſhop do not go to another City which is not under his Conduct, nor into any part of the Country which don't belong to him, there to Ordain any one, nor to ſettle Prieſts, or Deacons, ſubject to another Biſhop, if it be not done by conſent of the Biſhop of the place; and if there be any Biſhop ſo bold to do ſuch things, That the Ordination he has made, be void; and as for him, let him be cenſur'd by the Synod.* And as this Council prohibits Biſhops to enterpriſe any thing without their Dioceſs; that of *Conſtantinople*, of the year 381. forbids it to Metropolitans out of their Provinces, Canon 2d.

And as for the Titles of Superiority which is diſallowed by our Diſcipline, beſides that they are contrary to the ſimplicity of the Goſpel, and to the Equality which was at firſt amongſt Paſtors, the Church of *Africa* had in a manner baniſh'd them quite from amidſt of it,

to

to incline the Biſhops to humility, and to remove from their minds, all thoughts of Pride and Ambition; for it made this Canon, which is the 39th in Mr. *Juſtell's African Code*; *Let none call Prince of Biſhops, or High Prieſt, or any thing of like nature, the Biſhop of the higheſt See; but let him only be called Biſhop of the firſt See.*

St. *Cyprian* had ſaid a great while before, of himſelf, and the Biſhops in *Africa*, *Let none of us aſſume to be called Biſhop of Biſhops*; or as is read in ſome Copies, *None of us have reſolved with our ſelves, to be called, or termed, Biſhop of Biſhops.* De Hæret. Baptiz. p. 282. Vol. Edit. *Paris* 1666.

XIX.

A Miniſter cannot, together with the holy Miniſtry, Practiſe Phyſick, or the Law; nevertheleſs he may for Charity, give Counſel and Aſſiſtance to them which are ſick of his Flock, in the neighbouring parts, provided it don't hinder him from doing the duty of his Charge, and that he makes no gain of it, except it be in times of trouble and perſecution, when he cannot exerciſe his calling in his Church, and is not maintained by it; to avoid the ſtudy of Law, or other diſtraction, to addict themſelves wholly to their Office, and to the ſtudy of the holy Scriptures and Divinity: And againſt thoſe which refuſe to yield obedience, the Colloquies and Synods are warn'd to proceed according to Order of the Diſcipline; as alſo againſt thoſe which ſo employ themſelves in teaching youth, that it may in ſome meaſure hinder them from attending to their principal Employment; to which the Provincial Synods, Colloquies, and Conſiſtories, ſhall have regard, even to the ſuſpending of Miniſters.

CONFORMITY.

It is ſaid that Philoſophy requires the whole Man; it may more truly be averr'd of the Miniſtry of the Goſpel, to the Functions whereof one ſhould apply all their time, and all their ſtudy; ſo far unfit it is to think one ſhall be able to exerciſe any other Calling with that of the Miniſtry, for example, that of Phyſick; therefore amongſt us, it is not permitted for a Miniſter to undertake any other Profeſſion with the Miniſtry; a Paſtor may have ſome inſight in the Law and in Phyſick, and alſo may uſe it charitably for the good of his Neighbours, in giving Counſel to ſome, and affording Eaſe to others, as *Theodotus*, Biſhop of *Laodicea*, did, of whom *Euſebius* ſpeaks ſo advantagiouſly; but with all, that 'tis requiſite one ſhould apply himſelf intirely to the good of his Flock, and that one can't with ſafe Conſcience rob it of a great part of the time which belongs to it, to employ it in the Exerciſe of any other Profeſſion, to the prejudice of that whereunto it is principally dedicated. Thence it is, that the 10th Canon of the Council of *Mayence* in the year 813, and the 100 of that of *Aix la Chapell*, in the year 816. prohibit Eccleſiaſticks of taking any thing for helping any ſick perſons by the Rules of Phyſick, which was not unknown to them. Doubtleſs for warning them, that having been Conſecrated to the Service of the Church, they ought not to ſpend time in the common practiſe of Phyſick, by the knowledg of which, they have liberty in certain occaſions, charitably to help their Neighbours, without any expectation of Profit, provided that don't in any wiſe hinder them from their principal Employment, and Calling; in ſuch a caſe it was

Hiſt. Eccleſ. *l.* 7. *c.* 32. *p.* 288.

Tom. 2. Concil. Gall.

was abſolutely forbidden, as the Patriarch *Lucius* of *Conſtantinople* did to his Deacons. *Theodoret* indeed makes mention of one certain perſon he calls *Peter*, which he repreſents as a very good Man, and he obſerves in the Letters 114 and 115, that he had been honour'd with Prieſtly dignity, and that nevertheleſs he practis'd Phyſick; but it plainly appears by what he ſays, That this Man was not bound to the Service of any Church, although it was contrary too to the Rule of the Canons, and ſo nothing hinder'd but that he might commonly practiſe Phyſick. Moreover, nothing hinders but to this Article may be applied, Canon 6. 81. and 83. of the Apoſtles. The Example of *Gerantius* Biſhop of *Nicomedia* mention'd by *Zozomen*, might here find place, had his Ordination been legitimate; for being a very good Phyſician, he was very helpful to the Inhabitants of *Nicomedia*, who bewail'd him much after his being depos'd.

Pandect. Can. To. 2. p. 129. *Oxford.* 1672.

Theodor. Tom. 3. P. 988. *Paris.* 1642.

L. 8. c. 6.

XX.

Miniſters ſhall exhort their Flock to obſerve modeſty in their Apparrel; they themſelves in this, and all other things, giving good Example; abſtaining from all bravery in Cloaths, themſelves, their Wives, and Children.

CONFORMITY.

The Ancient Doctors of the Church have been very careful in recommending to Chriſtians the Modeſty preſcrib'd in our Diſcipline; eſpecially to Women, which more commonly tranſgreſs its Laws, than Men do.

Lib. 2. *Padag.* c. 12. p. 211, 212. *Paris.* 1641.

Clement of *Alexandria* neglects no pains to induce them to the practice of this Vertue; for having alledged theſe words of St. *Paul*, *In like maner alſo, that women adorn themſelves in modeſt apparel, with ſhamefacedneſs and ſobriety; not with broided hair, or gold, or pearls, or coſtly array; but (which becometh women profeſſing godlineſs) with good works*, 1 Tim. 2. 9, 10. After this, I ſay, this Ancient Doctor ſheweth, That ſeeing Apparrel was only given us but for a Covering, there ought not to be any ſuperfluity in it; that the holy ornament of the hands is not Bracelets, but a readineſs we ſhould have to diſtribute our Goods to thoſe which are in diſtreſs, and the care one ſhould take in conducting ones Family; that that of the feet is a promptneſs to do good, and a walking in the ways of Juſtice; that modeſty and pudor are the Chains and Collars which God himſelf has made, and that there is no other real Ornament, but that of Wiſdom; that Women ought not to ſuffer their Ears to be bor'd to hang Jewels in them, but to have them ever open to hear the Inſtructions ſhall be given them, and turn their eyes to the Contemplation of heavenly things; and in the ſame Treatiſe, he ſpeaks ſo much againſt needleſs and ſuperfluous dreſſing and apparrel, that I on purpoſe forbear reciting all he ſays, ſatisfying my ſelf to obſerve in general, that he fears not to affirm, That under the delicacy of theſe worldly Dreſſes, there is found not the Image of God, but that of the Devil. *Tertullian* ſpeaks in the ſame terms, exhorting Chriſtian Women to ſhew by the modeſty of their Apparel, the difference there is betwixt the Servants of God, and thoſe of the Devil; he will have them to be an Example to thoſe who do not profeſs the Goſpel; and that God might be glorified in their bodies, by going cloathed ſuitable to modeſty and ſhamefac'dneſs; and that when they go out of their Houſes, they ſhould

ſhould be adorn'd with Rayment of Prophets and Apoſtles, with probity, chaſtity, and innocence; by this means obtain for themſelves the bleſſing of God. St. *Cyprian* follows the ſteps of *Tertullian*, whom he ſtiles his Maſter; and he condemns with no leſs ſeverity than the other, all the ſuperfluous Ornaments of the Age, and all thoſe worldly Dreſſes, *which*, ſaith he, *ſerve to no other end, but to hide what God has form'd in Man, and to diſcover what the Devil has invented.* I ſhould be over-tedious to tranſcribe what has been ſaid on this Subject by Saint *Chryſoſtom*, that golden Tongue of the Ancient Church; Read only his 8th Homily on the 2d Chapter of the 1ſt to *Timothy*, and one ſhall ſee the manner he treats of it, and with what Eloquence he declaims againſt the pride and ſumptuouſneſs of Apparel, the niceneſs of Dreſſes; againſt painting, curling the Hair, Pendants in the Ears, Pearls, and all ſorts of Jewels; to all which things he oppoſes ſhamefac'dneſs, modeſty, and decency; the uſe and practiſe whereof he earneſtly recommends. *Iſidorus* of *Pelluſia* has very judiciouſly obſerv'd, That theſe outward Ornaments are prejudicial to a beautiful Woman, and to one that is not ſo; to the one, becauſe it reproaches her with her uglineſs; and the other, becauſe people are taken up in talking of her Ornaments, and ſay nothing of her ſelf.

De habit. *Virg.* p. 165. *Paris.* 1666.

L. 5. Ep. 200. *Paris.* 1638.

XXI.

It is convenient to deſire Princes, and other Lords which follow the Court, that have, or would have Churches ordered in their Houſes, to take their Miniſters from Churches duly reform'd, and where there are more than one, with ſufficient aſſurance of their lawful vocation, and by leave of the Colloques or Synods; the which ſhall firſt ſign the Confeſſion of Faith:

Faith of the Churches of this Kingdom, and the Eccleſiaſtical Diſcipline. And to the end the Preaching of the Goſpel might have the greater Succeſs, they ſhall alſo be deſired each of them to erect in their Families a Conſiſtory, compos'd of the Miniſter, and of the godlieſt and beſt approved perſons of the Family, which ſhall be elected Elders and Deacons, to a competent number; by which Conſiſtory, the Scandals and Vices of the ſaid Family ſhall be ſuppreſs'd, and the Order of the common Diſcipline of the Churches maintain'd. Moreover, the ſaid Miniſters ſhall attend the Provincial Synods as oft as they can poſſible; to this end, notice ſhall be given to the Church which ſhall aſſemble the Synod, to call them unto it; But eſpecially the ſaid Miniſters, or part of them, as they ſhall be deputed by the reſt, ſhall not fail appearing at National Synods, and ſhall come alſo accompanied with the Elders, who may inform the ſaid Synod of their Life and Converſation: And when they ſhall meet ſeveral of them together, none of them muſt pretend preheminence or lordſhip over the others, according to the Article of Diſcipline. And when the ſaid Lords and Princes ſhall reſide in their Houſes, or other Places, where there is a Church eſtabliſh'd, the better to prevent Diviſions, they ſhall be humbly deſir'd that the Church of their Family may join with that of the Place, to make but one Church, as ſhall be agreed upon by a friendly Conference of the Miniſters of both parts, to do what ſhall be moſt expedient.

CONFORMITY.

Tom. 1. Conc. *Gall.* Can. 21. p. 165.

In the Year of our Lord 506. the Council of *Agde* in *Languedoc*, made a Decree, which in ſome ſort refers to this Settlement; for it ſuffers thoſe, who for the convenience of their Family, deſires to have an Oratory, or as they ſpeak now-a-days, a Chappel in the Country, beſides

beſides the common Places of aſſembling; it permits them there to ſerve God, except it be on principal Feaſt-days, for on this occaſion it enjoins them to come to their Pariſhes, excommunicating the Church-men that ſhall ſerve in thoſe Oratories, if they attempt any thing againſt this Decree, unleſs it be by the order or permiſſion of the Biſhop, in whoſe Dioceſs the Chappel is. Thence is it that Pope *Leo* the IVth forbids Laymen to eſtabliſh a Prieſt in any Church whatever, without conſent of the Biſhops. The Council of *Meaux*, in the Year 845. Exhorts Princes and Lords to order it ſo, that the Prieſts which ſerve in their Chappels, ſhould be ready to hinder and baniſh from their Houſes all manner of Vice, and be careful to inſtruct the Domeſticks, becauſe Pariſh-Prieſts, and Biſhops, and Miniſters, are to do ſo unto the pooreſt and meaneſt of the People. *Agabard*, Biſhop of *Lyons*, in the ſame Century, complains in a Book he writ of the Law of Prieſthood; he complains, I ſay, of the abuſe which reigns amongſt great Lords in regard of their Prieſts and Chaplains, and of the little eſteem they made of them, requiring of them ſervices altogether unworthy the Degree they were to hold; And becauſe theſe Prieſts dwelt in the Houſes of Perſons of Quality, they were called their Prieſts, and 'twas ſaid the Prieſt of ſuch a Lord; the which Pope *Nicholas* the Iſt could not ſuffer, as appears by the Chronicle of *Hugh* of *Flavigny*, contained in the 1ſt Volume of the Library of Father *Labbe*, imprinted at *Paris*, *Ann.* 1657. there is in the 6th Tome of the Councils, divers Canons of a Synod, which as ſome think, was aſſembled at *Pavia*, in the Year 850. in the 18th of which, the Prieſts, whereof we ſpeak, are called *Acephales*; and thoſe which have them in their Families, are warn'd not to entertain any but ſuch as have been examin'd by the Biſhops. Pope *Urban* the IId, in the

Collect. Rom. part 2. c. 41. p. 132.

Tom. 3. Conc. *Gall.* Can. 74. p. 56.

Tom. 1. p. 134, 135. *Paris.* 1666.

Pag. 121.

Pag. 444.

Tom. 7. Conc. p. 504. the 9th Canon of the Council which he held at *Melphes*, in the Year 1090. ſays near hand the ſame thing, and makes ſuch another Decree.

XXII.

It ſhall not be lawful for a Miniſter to leave his Flock without leave of the Colloque, or Provincial Synod of the Church to the which he was given.

CONFORMITY.

This Rule is very judicious, to hinder Miniſters from leaving their Flocks ſlightly, and without permiſſion of thoſe which have power to diſpoſe of their Miniſtry; this is agreeable to the 3d Canon of the Council of *Antioch*, in the Year 341. which forbids Prieſts, and Deacons, and all thoſe of the Clergy, to abandon their Churches to go unto others, ſuſpending from the Miniſtry thoſe that do ſo; eſpecially, if after being warn'd by their Biſhops, they do not ſpeedily return to the Churches which they left; and depoſing, without any hope of reſtoration, thoſe which ſhall perſevere in their Diſobedience; with menaces to the Biſhops which ſhall receive them, to be cenſur'd by the Synod according to their Merit; or as the Council of *Calcedon* will have it, be excommunicated with the Deſertors, until ſuch time as they return to their Churches. Add alſo to this, the 23d of the ſame Council, with the 18th and 13th of *Ancyra*.

Can. 10, & 20.

XXIII.

XXIII.

The Deſerters of the Miniſtry ſhall be Excommunicated by the Provincial Synod, if they do not repent, and re-aſſume the Office God has committed to them.

CONFORMITY.

The Council of *Sevill*, in the Year 619. Can. 3. for ſome time Exiles the Deſerter into a Monaſtry, after having degraded him of the Honour and Degree of a Miniſter; but without taking away from him all hope of being reſtor'd after a puniſhment proportion'd to his Fault; to the end, by this means to reſtrain the Libertiniſm of Deſerters. *Gratian* cites this Canon in his *Decret.* cap. 21. q. 2. *Placuit ut ſi.*

XXIV.

Miniſters ſhall not be Vagabonds, and ſhall not have liberty of their own free Authority, to intrude themſelves where they pleaſe.

CONFORMITY.

The Council of *Ancyra*, in the Year 314. made a Decree which was very conformable to this of our Diſcipline; *If thoſe which have been ordain'd Biſhops*, ſaith he, *are not receiv'd into the Churches for which they have been named, and that nevertheleſs they endeavour to get into others, and to offer violence to thoſe that are duly eſtabliſh'd, and to ſtir up troubles againſt them, let ſuch be depos'd; but if they will continue in the Presbytery, wherein they were* Can. 18.

formerly Prieſts, let them not loſe the honour of Epiſcopacy; whereas, if they ſtir up Seditions againſt thoſe which are ſetled Biſhops, 'tis fit they ſhould be depriv'd of the honour of the Presbytery, and intirely d pos'd. The 1ſt Council of *Tours*, aſſembled *Ann.* 462. requires that he be excommunicated from the Clergy which forſakes his Church without the Biſhops permiſſion, to ſettle himſelf in any other place. That of *Reimes*, orders almoſt the very ſame thing againſt Church-Vagabonds, in the year 465. In the Council of *Valentia* in *Spain*, aſſembled *Ann.* 524. the like Edict was made againſt inconſtant and wandring Clerks, Can. 5. Tom. 3. Conc. pag. 820. See *Syneſius* on the 22d Article in his 67th Epiſtle, how he declaims againſt theſe wandring Clergy-men, whether they be Biſhops, or others, and judges it is not fit they ſhould have any publick mark of Honour amongſt the Clergy, nor admiſſion into any other Churches, to oblige them to return to their own.

Tom. 1. Conc. Gal. p. 126. Can. 11.

Ibid. p. 138. c. 5.

XXV.

The Miniſter of one Church cannot preach in another, without firſt obtaining leave of the Miniſter of it, unleſs in caſe of his abſence, in which caſe it muſt be the Conſiſtory muſt give him leave; and if the Flock be diſperſt by reaſon of perſecution, or other trouble, the Foreign Miniſter ſhall endeavour to aſſemble the Deacons and Elders, which if he cannot do, he ſhall nevertheleſs be permitted to preach, to reunite the Flock.

CONFORMITY.

We formerly obſerv'd on the 18th Article, that a Biſhop had no power to undertake any thing without his Dioceſs;

Dioceſs; within the compaſs whereof he was oblig'd to limit all the Functions of his Miniſtry; and we proved it by ſundry Canons, needleſs here to be repeated; it ſhall ſuffice to add unto them the 20th Canon of the VIth Oecumenical Council, which is yet more formal than any of the reſt, to the matter now in queſtion; ſee here in what ſort the Fathers have laid it down; *That it be not permitted for a Biſhop to preach publickly in any City which is not within his Juriſdiction; and if there ſhall be any one found ſo doing, he ſhall be no longer Biſhop, and let him only perform the Functions of Prieſt.* Tom. 5. Concil. p. 328.

XXVI.

The Miniſter which ſhall intrude himſelf, although he were approv'd by the People, is not to be approved by the Neighbour-Miniſters, or others; but notice muſt be given of it to the Colloque, or Provincial Synod.

CONFORMITY.

The Council of *Antioch*, which I have ſeveral times cited, abſolutely authoriſes this Rule in the 16th Canon, which is contain'd in theſe words; *If a Biſhop out of employment, intrudes himſelf into a vacant Church, and uſurps the place without the Authority of a full Synod, let him be turn'd out, although he may be approv'd of all the People which he ſhall have gain'd to him.* The 35th Canon of the *African* Code, contains a ſolemn Decree againſt theſe Paſtors, which having by their ſlights inſinuated into the minds of the People, intrude themſelves into Churches without any lawful Vocation; ſo far, that the 3d Council of *Carthage*, which made this Decree, in the year 307. appoints, that they ſhall be dri-

ven away by publick Authority. Pope *Gelaſius* the Iſt enjoins almoſt the ſame, in his 9th Epiſtle to the Biſhops of *Lucania*, Tom. 3. Concil. pag. 936.

XXVII.

Miniſters ſhall not be ſent to other Churches without Authentick Letters, or other ſufficient Teſtimonies from the places from whence they ſhall be ſent, the which ſhall be deliver'd into the hands of the Conſiſtory, whither they are ſent, to be carefully laid up.

CONFORMITY.

Beſides the Canons I have mention'd upon the precedent Article, and which do alike favour this, there are alſo others which no leſs confirm it; for Example, Thoſe which forbid to receive to the Communion in another Church, an Eccleſiaſtical Perſon, which cannot ſhew a Certificate from his Biſhop; and thoſe alſo which enjoin Biſhops to contain themſelves within their Dioceſſes, without intruding into another's, as we have made appear; and as may be farther proved by the 10th Canon of the Council of *Carthage*, which is commonly called the 1ſt, and which was aſſembled under *Gratus*, in the Year of Chriſt 348, or 49. Tom. I. Conc. p. 566. To all which may be added the 33d Can. of the Apoſtles, which expreſly forbids to receive any Church-man without Letters of Recommendation, and without due Examination; and the 41ſt of *Laodicea*. In the Ancient Diſcipline, the Letters now ſpoken of, were called Letters of *Congé*, whereof we will ſpeak more on the 4th Article of the 4th Chapter.

XXVIII.

XXVIII.

No Miniſter, for ſaying he is forſaken of his Church, or perſecuted, ſhall thereupon be received by another Church, until that by good Certificates he ſhall make appear to the Synod, or Colloque, how he ſhall have behav'd and govern'd himſelf; and the whole ſhall be referr'd to the prudence and diſcretion of a Colloque, or Provincial Synod.

CONFORMITY.

This Article alſo tends to nothing elſe but to reſtrain the Enterpriſes of ſuch Miniſters as ſhall inſinuate themſelves into Churches without being called, or not having good Teſtimonies of their behaviour, and of the cauſe wherefore they pretend to be forſaken of their Churches; therefore it is that our Diſcipline refers the Deciſion of theſe matters to the diſcretion of Synods, according to the Canon of *Antioch*, in the year 34. Can. 16.

XXIX.

When a Miniſter finds himſelf deſtitute of a Church, having duly obtain'd leave, and his diſcharge from that which he formerly ſerved, it belongs to the Colloque, or Provincial Synod, to provide for him in a months time; and if in that time he be not provided for by the Synod of the Province, or Colloque, he ſhall be at his own liberty to provide for himſelf of a Church any where elſe, without the Province, where God ſhall enable him, according to the Rule of the Diſcipline.

CONFORMITY.

This Rule intimates ſomething more than the former; for it ſpeaks of Miniſters deſtitute of a Church, after having obtain'd Licenſe from thoſe they ſerved, and of having for good and ſufficient Cauſes been remov'd; and who nevertheleſs are not ſuffer'd to ſettle in any other, but by Authority of the Colloques, and Synods, according to the Ancient Diſcipline.

XXX.

Power is given to Provincial Synods to change Miniſters for certain Conſiderations, their Churches being heard, and their Reaſons well and duly examin'd; but in caſe of Diſcord, all ſhall be determin'd at a National Synod, until which time nothing ſhall be innovated.

CONFORMITY.

The tranſlating of Paſtors from one Church to another has been ſtrictly prohibited in the Ancient Church, by reaſon of Abuſes which have been therein committed; and becauſe theſe Tranſlations were commonly the effect of Ambition, and Covetouſneſs, for ſeldom any was tranſlated from a greater to a leſs Church; but frequently, and almoſt always, from a leſs to a greater; the 15th Canon of the 1ſt Council of *Nice*; the 21ſt of that at *Antioch*, in the Year 341. the 1ſt of the Synod of *Sardis*, in the year 347, and ſeveral others, prohibit theſe ſorts of

of changes which have no other motive, as the Fathers of *Sardis* ſay, but covetouſneſs, ambition, and a deſire to domineer. Nevertheleſs all theſe Prohibitions has not hindered but ſeveral Biſhops have been transferred from one Church to another. *Socrates* in his Eccleſiaſtical Hiſtory recites a great many Examples of theſe Tranſlations made before and after the Council of *Nice*. Pope *Boniface* at the beginning of the Fifth Century eſtabliſhed *Perigenes* Biſhop of *Corinth*, whereas before he was of *Patræ*, as appears by the Letter writ by this Pope to *Rufus* Biſhop of *Theſſalonica*. *Socrates* alſo cites this Example. Lib 7. c 35 36, 37. Collect. Rom Part 1. p. 52.

But that it may not be imagin'd that all theſe Tranſlations were nothing but the ill effects of the relaxation of the Diſcipline of the ancient Chriſtians, and that they were not countenanc'd by the Authority of ſome Canon, it is to be obſerv'd there were ſome occaſions wherein theſe changes were allowed; as for example, for the greater edifying of the Church, in ſuch a caſe it was permitted to tranſlate a Paſtor from one Church to another, provided it was done by conſent of the Synod, as our Diſcipline doth preſcribe: The 14*th.* of the Canons attributed to the Apoſtles, explains it ſelf after this manner: *It is not permitted for a Biſhop to leave his Church to go to another, altho he ſhould be deſired and invited thither by a great many, unleſs there be ſome great reaſon that obliges him to it, as that his Preaching might there tend to greater Edification, and there cauſe a greater growth of Piety, neither yet ought he to do it of his own accord, but by the Exhortation and Judgment of ſeveral Biſhops.*

The fourth Council of *Carthage* aſſembled in the year 398, made a like Ordinance to that in the 27 *Can.* for having prohibited to go by ambition from one Church to

to another, it adds, That if the benefit of the Church be advanced thereby, it may be done by approbation of the Synod, which ſhall put another in the place of him they ſend away. Thence it is that Pope *Gellaſius* the firſt, doth not always ſimply condemn theſe Tranſlations, but only then when they are made without cauſe. *Hincmar*, Archbiſhop of *Rhemes*, in the Ninth Century, authorizes theſe Changes when there is good cauſe for them, or neceſſity, and that 'tis done by Order of the Synod; and he alſo produces ſundry inſtances of this practiſe. I do not mention the firſt Epiſtle of *Pelagius* the ſecond, who eſtabliſhes, or rather approves, for the like motives, theſe kind of Tranſlations, becauſe I am perſwaded 'tis falſe and ſpurious.

XXXI.

When a Miniſter is perſecuted, or for ſome other cauſe cannot exerciſe his Office in the Church, whereunto he was appointed, he may be ſent elſewhere by the ſaid Church, or an exchange ſhall be made of him for ſome other for a time, by the conſent and good liking of both the Churches: But if the Miniſter will not ſubmit to the judgment of both Churches, he ſhall impart the reaſons of his refuſal to the Conſiſtory, and there it ſhall be judged if they are ſufficient; and if they are not found to be ſo, and that yet the Miniſter perſiſts to refuſe the ſaid Office, the difference ſhall be transferred to the next Provincial Synod, or to the Colloque, if the Churches are of one and the ſame Colloque.

CONFORMITY.

The ancient Chriſtians which had foreſeen the inconvenience which regards our Diſcipline in this Article, have

have made divers Rules to remedy it. In the year of our Lord 347, the Council of *Sardis* in theſe terms, ſet down the words of their laſt Canon: *If violence be done to a Biſhop, and that he be caſt out unjuſtly through malice, for the Diſcipline he has exerciſed, or for the Catholick Faith which he confeſſed, or for the truth which he defended, and that being innocent, and flying from danger, he comes to another Church, let him not be hindered to abide there, until ſuch time as he can return, and that an end be put to the trouble which he ſuffers; for it would be cruel not to receive with all humanity and good will, him which ſuffers perſecution:* The Council of *Chalcedon* which forbids to quit the Church one has ſerved in from the firſt time of ones promotion, *Excepts thoſe which having been conſtrained to forſake their Country, have paſſed into another Church*; according to which *Gregory* the Firſt eſtabliſhed a certain Biſhop call'd *John*, which had been driven away from his Church by the Enemy which had taken poſſeſſion of the place; I ſay he ſetled him in another, on condition to return back to his former Church as ſoon as it recovered its ancient liberty. It was alſo in the ſame manner he ſerved *Agnellus* Biſhop of *Fundi*, which upon a like occaſion he preferred to the Church of *Terracina*; the ſame was practiſed in *France* in the IX. Century, in regard of *Actard* Biſhop of *Nants*, the City having been ſack'd and plundered by the *Brittans* and *Normans*, he was made Archbiſhop of *Tours*, as *Hincmar* affirms, who lived in that time, and at large relates the Hiſtory in his 45 Epiſtle, which we cited on the foregoing Article; and all that he blames in *Actard* is, That he would have held both Churches of *Tours* and *Nants*, contrary to the prohibition of the Council of *Chalcedon*; excepting this, he approves, that when a Paſtor is perſecuted and driven from his Church, he Can. 20.

ſhould be provided of another. The Frier *Blaſtares* is of the ſame judgment, and he ſupports it by the 13 and 22 Canons of the Council of *Antioch*, in *Syntagm. Lett. A. Cap. 9. pag. 22.*

XXXII.

Miniſters may, with their liking, be lent by the Conſiſtory, as the Edification of the Church ſhall require; but the Loan ſhall not be made without the advice of two or three Miniſters, or of the Colloque, if it be for more than ſix Months.

CONFORMITY.

St. *Paul* ſaith, Charity is the bond of perfectneſs; and all thoſe of one Communion, being to be united by this Sacred Bond, they are bound in conſcience, upon all occaſions, to ſhew reciprocal marks of ſincere and true love; and becauſe there are none more ſenſible than thoſe which have for their ſcope and aim, our inſtruction and conſolation, they cannot be mutually refus'd without violating the Laws of Chriſtian Charity: It was by ſuch a principle, that when there was among the Primitive Chriſtians any Church deſtitute of a Paſtor, *That* next unto it, was obliged to take care, and viſit it from time to time, to impart unto it Inſtructions and Conſolations. There are ſeveral Preſcriptions to this purpoſe in the Monuments of Eccleſiaſtical Antiquity, particularly in St. *Gregory*'s Epiſtles; and all theſe Rules, in effect, amount to what's here preſcrib'd in our Diſcipline.

XXXIII.

XXXIII.

Miniſters lent, when the time for which they were lent is expired, they ſhall return to the ſervice of the Churches from whence they went.

CONFORMITY.

When a Church for ſome time borrows the Miniſtry of a Paſtor which is ſetled in another Church, which conſented to this Loan, there's no need to doubt but that when the time of Loan is expired, he may re-enter into the Church which lent him, and which in lending him, did not diſclaim their Right in him. In the Primitive Church, at the very inſtant a Flock was provided of a Paſtor, he that viſited it in the time of its Widowhood, that is to ſay, whilſt 'twas without a Conductor, returned no more to it, and exerciſed the Functions of his Miniſtry no where but in his own Church.

XXXIV.

If in one year after the time of Loan is expired, the Church don't re-demand its Paſtor, he ſhall belong to the Church which borrowed him; always provided, the Miniſter willingly conſents thereunto; but if he be not willing, he ſhall ſubmit to the direction of the Colloque, or Synod of the Church to which he had been lent. And this rule alſo ſhall be in force for the Miniſters which by reaſon of Perſecution ſhall flye to other Churches; and the perſecution ceaſing, not being demanded by their former Churches in a years time, the which ſhall commence after the warning which ſhall have

been given to the ſaid firſt Churches by the ſaid Miniſters.

CONFORMITY.

Becauſe it may ſo fall out, that a Church which ſhall have lent one of her Miniſters, does not recall him after the Expiration of time for which he was lent, no difficulty is made of tranſlating him wholly to the Church which had borrowed him, the ſilence of the other being then look'd upon as a kind of Conſent. Which alſo is to be appli'd to thoſe which joining themſelves to other Churches by reaſon of Perſecution, are not redemanded by theirs when the Perſecution is over; for on theſe occaſions, it is as much as if they had granted unto them thoſe Letters of *Congé* which the Ancients called *Dimiſſoria's*, with the which a Church-man could ſerve in another Church, in the ſame Province, or in any other.

XXXV.

Him who is deſtitute of a Church for not being employed in the Province, and ſhall be lent elſewhere out of the Province, by the Colloque, until the Meeting of the Synod of the ſaid Province; if he be not employ'd by the ſaid Synod in the Province, he ſhall remain proper to the Church to which he was lent, if he conſents thereto, and the ſaid Church alſo.

CONFORMITY.

This Article depends of the foregoing ones, and is no more but the continuance of the Rules we have examined;

amined; therefore 'tis needleſs to add to what has been ſaid to this purpoſe.

XXXVI.

To the end that Congregations ſhould acquit themſelves of their Duty to their Paſtors, as the Word of God enjoyns them, and that cauſe ſhould not be given to Miniſters to be diſſatisfied, and even to leave them; the ſaid Flocks ſhall be advertis'd to allow them what ſhall be neceſſary.

CONFORMITY.

When Jeſus Chriſt firſt ſent forth his Diſciples to Preach the Goſpel, he forbid them to provide Gold, or Silver; alledging for this prohibition, *that the labourer was worthy of his hire.* St. *Paul*, who wrought with his own hands, that he might be burdenſome to none, nevertheleſs appoints in his Epiſtles, the obligation Flocks have to their Paſtors, ſaying, *None goes a warfare at his own expence; That him that plants a Vine, eats of the fruit; and him that feeds a flock, drinks of the milk of it; that what the Law ſaith, Thou ſhalt not muſsle the ox which treadeth out the Corn*, is to be appli'd to the Miniſters of the Goſpel, who ought to receive temporal things of thoſe to whom they ſow Spiritual things; That thoſe which were employ'd about holy things, did eat of that which was Holy; and thoſe which ſerved at the Altar, did participate of the Altar; that in like manner the Lord ordained, *That thoſe which preach the Goſpel, ſhould live of the Goſpel.* 1 Cor. 9. 14.

The Charity of Chriſtians, who lived preſently after the Holy Apoſtles, was ſo fervent, that they ſuffered not thoſe

thoſe which were ordained to inſtruct in the knowledg of the Myſteries of Heaven, to lack any thing; and altho in thoſe firſt Ages, they lived on the voluntary Oblations of Believers, nevertheleſs they had ſufficient for their maintenance and ſupport, and for the relief of the poor: And becauſe theſe offerings were divided amongſt the Clergy, each had his portion, or at leaſt, they ſpent altogether that which fell to their ſhare, and alſo imparted to the relief of Indigent Clerks, and other Brethren, which were in want; and which St. *Cyprian* deſigns by *Sportulantes fratres*; an expreſſion found in the Teſtament of *Perpetu* Biſhop of *Tours*, in the Fifth Century, inſerted by *Dom Luke D'Achery* in the fifth Tome of his Collection. The 25 *Can.* of the Council of *Antioch* appoints, That the Biſhop ſhould receive of the Church-ſtores what ſhall be convenient for the neceſſary ſupport of life, both for himſelf and for the Brethren which lodg in his Houſe; and the 36 Synod of *Agde*, in the year 506 requires, *That all the Clerks which ſerve in the Church faithfully, and with care, receive of their Biſhops the wages due for their labour, proportionable to the ſervice they yield, or according as the Canons do appoint.* After all, when Riches came flowing into the Church, in ſeveral Provinces, they divided them into four equal portions; the Biſhop had one, the Clergy another; the third was for the poor, and the fourth for repairing the Church: But in the Countreys where they divided them into three Portions, as in *Spain*; one third was for the Biſhop, one third for the Clergy, and the other third for the Poor, and repairation of Temples.

Ep. 66. p. 109.

Tom. 1. Conc. *Gall.* p. 168.

XXXVII.

XXXVII.

And to avoid the ingratitude of thoſe which have been found unworthily to treat their Paſtors, this order ſhall be obſerv'd, To pay them aforehand, one Quarters Sallery, of the Penſion which has been promis'd them yearly.

CONFORMITY.

Were the Charity of the Chriſtians of this Age as great as was that of the Primitive Chriſtians, thoſe who laboured in compoſing our Diſcipline, had not been obliged to have made ſo many Rules to provide for the Maintenance of Miniſters; they would have found a ſufficient propenſity in the minds of their People to have contributed to their Neceſſities: But this Charity being abated, and the People being but too much inclined to pay thoſe with ingratitude which labour for their Inſtruction, it was expedient to multiply Laws to procure for them a moderate maintenance, without the which a Miniſter cannot ſubſiſt.

XXXVIII.

And for the time to come, doubting of miſcarriage herein, leſt there ſhould happen damage to the Churches; Thoſe elected to manage the Action of the Colloques, ſhall inquire of the Elders of each Church, what Allowance they make their Miniſters, and the care they take in adminiſtring what has been appointed, to the end that by the Authority of the Colloques it might be remedied.

CON-

CONFORMITY.

The Miniſters of the *French* Proteſtants, living commonly on the equal contribution of their Congregations, it became the wiſdom of the Authors of their Diſcipline to remove all difficulties which might retard or hinder theſe voluntary Contributions whereon depends their Subſiſtence, having no ſtock for their Maintenance.

XXXIX.

When neceſſary ſupport is refuſed to a Miniſter; and that he hath made his complaints and applications, and that three Months are elapſed; it ſhall be lawful for the ſaid Paſtor to range himſelf to another Church, by advice of the Colloque, or Provincial Synod; and in caſe of urgent neceſſity, the Colloques, or Synods, may ſhorten the term of three Months; and if neceſſity ſo require, and that three Months are elapſed, and that he continue unprovided, altho the Miniſter has made his complaint to be ſet at liberty, it ſhall ſuffice, that he call into his Conſiſtory, the two adjacent Miniſters, and ſhall not be bound to ſtay for the conſent of any Colloque nor Synod, unleſs one of thoſe Aſſemblies were ſummon'd in the ſame Month, to the which he may have recourſe.

CONFORMITY.

Seeing that according to the Doctrine of Jeſus Chriſt, Thoſe which Preach the Goſpel ſhall live by the Goſpel, it cannot reaſonably be refuſed a Miniſter to whom the Flock doth not apply neceſſary Subſiſtence; I ſay one cannot

cannot refuſe him the liberty of joyning himſelf to another, which are more tender and grateful, eſpecially when he has nothing elſe to ſubſiſt upon. It's true, this ſhould not be done without the advice of his Superiors, that is to ſay, without conſent of the Colloque, or Provincial Synod, which may diſpoſe of his Miniſtry.

XL.

Upon the knowledg and judgment which ſhall be made of the ingratitude of the People upon the Miniſter's complaint, all circumſtances muſt be prudently weighed, and as well principal regard ſhall be had to the poverty of the Churches, as to the faculty and ways of him which makes the complaint, the better to follow what may moſt tend to the glory of God, the Edification of the Church, and the honour of the Miniſtry.

CONFORMITY.

In the main, heed muſt be taken to do nothing in theſe occaſions which may in the leaſt prejudice the glory of God, the Edification of the Church, and the honour of the Miniſtry, or that may offend the Laws of Chriſtian Charity.

XLI.

The Church which ſhall be found ingrateful, ſhall not be furniſhed with a Paſtor, until firſt of all ſhe hath fully ſatisfied what ſhe owes to him, from whoſe ſervice ſhe is diſcharged.

CONFORMITY.

This Article is a conſequence of the preceding ones, and is founded upon Juſtice and Equity; provided exact Judgment be made betwixt unableneſs and ingratitude; the former deſerving pity and compaſſion, and the latter puniſhment and blame.

XLII.

Miniſters that have ſome Rents and Goods, may nevertheleſs take Wages of their Flocks; it is even expedient they ſhould do ſo, for the conſequence, and to avoid the prejudice they may do to other Paſtors and Churches: But they ſhall be Exhorted to do as the neceſſity of the Churches and Charity ſhall require.

CONFORMITY.

The Ancient Canons do ſufficiently authoriſe this ſettlement, in diſtinguiſhing the goods of Biſhops from thoſe of the Churches, the latter not being to be alienated; whereas the Biſhop at his Death might diſpoſe of thoſe which were his; and if he diſpoſed not of them by Will, they of right appertain'd to his Heirs, the Church not being permitted to trouble them on this occaſion. The 24th Canon of the Council of *Antioch* is formal in the caſe, and ſo regulated the matter, that afterwards there was no difficulty in the Caſe; and I make no queſtion, but the Impoſtor that forg'd the Canons, which go in the Apoſtles Names, did borrow from that of *Antioch*, the 4th of his, which he a little alter'd, to hide the fraud of his Impoſture; for he ſaith, the

Biſhop

Biſhop has ſometimes Wife and Children, which are his Legitimate Heirs. Neither do I make any doubt, but the Fathers of the Council of *Chalcedon* had in their view the ſame Canon, a little more than 100 years after the Synod of *Antioch*, when they forbid the Clergy in the 22d Canon, to diſſipate the Goods of the Biſhop after his Death; and that they alledge the Ancient Canons which prohibit the ſame; it is hereunto may be applied the 32d Canon of the *African* Code, attributed to the Council of *Carthage*, in the Year 419. However it may be, it clearly appears by what has been ſaid, That Miniſters which had any Goods of their own, might nevertheleſs take the portion of thoſe of the Church, which by the Decrees of Councils were deſtinated for the ſupport of the Biſhop.

XLIII.

It ſhall not be permitted for a Miniſter to poſſeſs any Inheritance under the Title of a Paſtor; but if his Penſion, or any part of it, were aſſign'd upon any Poſſeſſion, Rent, or Revenue, all ſhall be adminiſter'd by the Deacons, or other perſon appointed and deputed to this purpoſe, by whoſe hands the Miniſter ſhall receive his Salary, to take away all ſuſpition of Avarice, and to the end, that by ſuch ſollicitudes, he may not be hinder'd from doing his Office and Duty.

CONFORMITY.

St. *Cyrill* of *Alexandria* ordains ſomething to this purpoſe in his Canonical Epiſtle, when he ſaith, That the holy Veſſels, and the immovables, muſt be left to the Churches; and leave to the Biſhops which do the Functions of the Epiſcopacy, the diſpenſation of the

Expence, which is neceſſary to be done, whether it proceeds from the Revenues of Eccleſiaſtical Goods, or from ſome liberality that comes from elſewhere. The Council of *Antioch* had already ordain'd ſomething of the ſame kind in the 25th Canon; and ſince St. *Cyril*, that of *Chalcedon* in the 26th.

XLIV.

The Church, in whoſe Service a Miniſter dyes, ſhall take care of his Widow and Children; and if the Church be not able, the Province ſhall provide for them.

CONFORMITY.

This Rule is in good meaſure grounded on Chriſtian Charity, and alſo on the acknowledgment a Church owes to the memory of a Miniſter dead in her Service, to whom ſhe is obliged to ſhew ſome marks of reſpect and kindneſs in the perſons of his Wife and Children.

XLV.

Miniſters ſhall be ſubject to Cenſures.

CONFORMITY.

All Paſtors were ſubject to the Canons, and by conſequence to the Cenſures enjoined by the Canons; it is a known Truth, and which is not conteſted by thoſe who have any knowledg of the practiſe of the Ancient Church. The Council of *Turin*, in the Year 397. in its Synodal Epiſtle, ſaith, They were Aſſembled to preſerve

Tom. 1. Conc. *Gall.* p. 27.

ſerve the Bleſſing of Peace, and the Decrees of the Canons, and to apply a profitable remedy to Mens minds; and in the 5th Canon, ſpeaking of a certain Prieſt called *Exuperantius*, it ſaith, *He was deprived of the Communion of the Lord, becauſe he had done ſomething againſt the Eccleſiaſtical Diſcipline.* Therefore it was, that the Council of *Chalcedon* requires, that the Canons be obſerved which had, till then, been made by the holy Fathers; and the Synod of *Chalons* upon *Soan*, in the Year 650. enjoins all Men, in the 2d Canon, inviolably to obſerve the Decrees of the Councils: Thence it is, that the 4th Council of *Orleans*, in the year 541. in the ſame Volume of *French* Councils, ſpeaks in the 37th Canon, of the Cenſures which were made in the Synods; to which alſo may be referr'd, the 3d and 22d Canons of the Synod of *Antioch*; and the 25th of that of *Chalcedon*; and in the 4th of the 7th Council of *Tolledo*, *Anno Dom.* 646. it is ſaid expreſly, That if any Biſhop be ſo inconſiderate, as to violate the Decree of the Council, the Cenſure and Puniſhment which the Fathers have enjoin'd, ſhall be inflicted on thoſe which tranſgreſs the Canons.

Can. 1. Tom. 1. Conc Gall. p. 490.

Tom. 4. Concil. p. 640.

XLVI.

The Office of Miniſters is to Govern themſelves and their Flocks, great and ſmall, by the Word of God, and Eccleſiaſtical Diſcipline; but 'tis alſo the Duty of the Magiſtrate to have inſpection over all ſorts of Men, even over Miniſters, and to take care they behave themſelves as becometh in their Vocation; and if they fail therein, the Magiſtrate ſhall warn them of their Duty, by the Church Diſcipline, in the Colloquies and Conſiſtories, elſe the faults may be puniſhable by the Laws, the Adminiſtration whereof is in the Magiſtrate.

CON-

CONFORMITY.

Origen treats at large of theſe Duties of Paſtors in ſeveral parts of his Works, where he teaches how they ought to act in regard of themſelves, and in regard of thoſe committed to their care, towards whom they ſhould not ſhew too much indulgence, nor too much ſeverity; but open unto them the Gates of Heaven by their Doctrine and Example, and not ſhut it againſt themſelves by a diſorderly and wicked Conduct: But eſpecially muſt be added, what he ſaith in the 7th Homily upon *Joſhua*, which is in the 1ſt Volume of his Works; and in the 25th upon St. *Matthew*, in the 2d Edition at *Paris*, *An.* 1514. St. *Baſil* lays down ſeveral Rules in his Morals, for the Conduct of Paſtors, whom, as he ſaith, ſhould be an Example unto others, and do in the firſt place, what they deſire others ſhould do, Preach the Goſpel with a holy freedom, and bear witneſs to it, although there might be ſome which forbid ſo doing, and perſecute to Death thoſe which do it. He will have them render God thanks for thoſe which are converted, and that they ſhould pray to God for them, to the end they may grow in grace dayly; That they ſhould have care not only of thoſe which are preſent, but alſo of the abſent; and that they ſhould omit nothing which may tend to their Edification and Salvation; deſiring they would therein Exerciſe themſelves conſtantly, as well in publick as private: He ſaith moreover, That the Miniſter ſhould be tender and full of compaſſion, eſpecially towards thoſe whoſe Souls are mortally ſick; That he ſhould charitably contribute to their bodily neceſſities, without abuſing his power to the prejudice of thoſe under

under his Conduct, and without exalting himſelf over them; but rather take occaſion to exerciſe humility towards them. He adds in concluſion, That he which is eſtabliſh'd in the Church to be a Guide to others, ſhould neither ſay nor do any thing, but with a great deal of prudence and circumſpection, to render himſelf acceptable in the ſight of God, as if he were to be approv'd by their judgment and teſtimony.

I could alledge ſeveral other Doctors of the Church to confirm the ſame thing; but becauſe what I have ſaid, is ſufficient for eſtabliſhing this Truth, I proceed to the conſideration of what follows in the Article which we Examine, *That it belongs to the Magiſtrate to have an Eye over Miniſters, and to take care they walk orderly in their Vocation*, &c. The good Kings of *Iſrael* did ſo under the old Diſcipline, obliging the Miniſters of the Sanctuary to do their Offices, and Religiouſly to perform all things which pertain'd to the Service of God; under the Oeconomy of Grace, the Examples of *Conſtantius*, of *Theodoſius*, of *Marcien's*, of *Leo's*, and ſundry others, which have aſſembled ſeveral Councils for the benefit of Chriſtian Religion, and to preſerve the Church from the Poiſon of Hereſies and Schiſms; I ſay, all theſe Examples do not in the leaſt ſuffer us to doubt, but that Princes and Sovereigns have right to ſuperviſe over Biſhops and Paſtors, and are bound in Conſcience to endeavour the advancement of the Glory of God, and the preſervation of his Worſhip in all purity: And not to go farther than our *France*, Who is there at this time but does know the diligence of our Kings on a great many occaſions; the many Councils they have Aſſembled, and to many of them have preſcribed the ſubject and matter of their deliberations, which is an authentick proof; and the Capitularies which we have ſtill

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in our hands, of *Charlemaine*, of *Lewis le Debonnaire*, and of *Charles the Bald*, are alſo ſo many Authentick Evidences. It was hereupon, that *Conſtantine* ſaith in *Euſebius*, That God had Eſtabliſhed him Biſhop; that he ſhould take care of things which paſſed out of the Church; and in the ſame Treatiſe, he is called, *The Common Biſhop, eſtabliſh'd by God.* In the 6th Action of the Council of *Chalcedon*, there is given to *Marcien*, the Title of *Sacerdos*. St. *Remy* calls *Clovis*, the Biſhop of the Country, *Tom.* 1. *Conc. Gall. p.* 204. The Fathers of the Council of *Mayence*, in the Year 819. call *Charlemaine*, *The Director of the True Religion, and the Defender of the Holy Church.* Which the 6th Synod of *Paris*, in the Year 829. ſaith alſo of *Lewis le Debonnaire*, and of *Lothaire* his Son.

Lib. 4. *de Vit. Conſt. c.* 24. & *l.* 1. *c.* 44.

It is alſo in all likelihood, by the ſame motive, that in the 98th Letter of *Loup* Abbot of *Ferriers*, where there is mention of the promotion of *Æneas* to the Biſhoprick of *Paris*, in the 9th Century, *The gift of the Prince is joyn'd to that of God:* As if one had been fully perſuaded in *France*, that the King was in God's ſtead, in Eſtabliſhing of Biſhops. Thence it is alſo, that whereas *Loup*, in the 29th Letter, writes that *Aldrich* was made Biſhop of *Sens*, by the Command of *Cæſar*; the Frier *Clarius*, in his Chronicle of St. *Peter vif. of Sens*, ſaith, That it hapned *by the Will of God.* To intimate, that the Power whereof Princes were in poſſeſſion, was given them from Heaven, it is the reaſon wherefore in the 2d Council of *Thionville*, in the Year 844. it is ſaid, *That Biſhops are given of God, regularly deſign'd by Princes*, (they mean the Children of *Lewis le Debonnaire*) *and Conſecrated by the Grace of the Holy Spirit.* In the Life of *Nicetas*, who was Biſhop of *Lyons* in the 6th Century, it is obſerv'd, *That the good will of the Prince,*

Prince, gave him by the Will of God to be Biſhop to this Church.

XLVII.

Miniſters that teach bad Doctrine, ſhall be depos'd, if they perſiſt after having been ſeveral times warn'd; alſo thoſe which do not obey holy Admonitions given them by the Conſiſtory, taken out of the Word of God; thoſe alſo which ſhall lead Scandalous Lives; thoſe which ſhall be convinc'd of Hereſies, Schiſms, Rebellion againſt Eccleſiaſtical Order, and manifeſt Blaſphemies, worthy of Secular puniſhment; Simony, and all corruption by Preſents; endeavours to have another's place; forſaking their Flock without due leave and juſt occaſion; Falſhood, Perjury, Adultery, Theft, Drunkenneſs, Fighting, worthy of being puniſh'd by the Laws; Uſury, Sports forbid by Laws, and ſcandalous; Dancing, and other like diſſolutions; any crime having the mark of Infamy; any Crime which ſhould in another deſerve ſeparation from the Church; and thoſe which are Inſufficient to diſcharge their Office.

CONFORMITY.

The Truth of the Holy Truſt committed to the Apoſtles, and after them to their Succeſſors, has ever been ſo dear and precious to thoſe amongſt them, which have been Followers of the Zeal and Piety of thoſe firſt Miniſters of the Son of God, that they could not ſuffer it ſhould be alter'd, without ſeverely puniſhing thoſe which ſowed Tares amongſt this good Corn, and eſpecially Paſtors, whom they depos'd from their Office, at the very inſtant that they taught Doctrines contrary to this Heavenly Truth. When *Paul* of *Samoſatia*, Biſhop

ſhop of *Antioch*, ſtir'd up by the Evil Spirit, had the impudence in the 3d Century to teach, That Jeſus Chriſt was but meer Man; the Miniſters of the Goſpel came flocking from all parts, as againſt the Enemy and Deſtroyer of the Flock, and Fold of the Lord; but this Heretick having avoided the Sentence of his Condemnation, in the firſt Synod held at *Antioch* againſt him, in the 12th year of the Emperor *Gallien*, and about the Year of our Lord 266. becauſe he promis'd to change his Opinion; he was at length depos'd, in the Year 170. in another Aſſembly in the ſame City of *Antioch*. In the Year 346 *Euphrates* Biſhop of *Cologne*, was alſo depos'd by a Council Aſſembled in the ſame City, for an impiety much like that of *Paul* of *Samoſatia*; for he denied that Jeſus Chriſt was God. It was on the ſame ground that in the Ancient Church, *Pelagius*, *Celeſtius*, *Julian*, and their followers, *Neſtorius*, *Eutyches*, and many others were Anathematiz'd; not to ſpeak of what was done againſt *Arrius*, in the firſt Council of *Nice*. I do not here make mention of ſcandalous vices for which Miniſters deſerve to be depos'd, becauſe I ſhall ſpeak of them in the following Articles; I will only add, that the 45th Canon of the Apoſtles, deprives of the Communion, the Biſhop, Prieſt, and Deacon, which do ſo much as pray with Hereticks, that is to ſay, according to *Balſamons* interpretation, If they have any Communication with them; but he depoſes them, if they permit them to do any Eccleſiaſtical Function; and the 46th. if they allow of their Baptiſm, and Oblation.

XLVIII.

Thoſe ſhall not be depos'd, who through Sickneſs, Age, or other the like accident, ſhall be incapable of doing their Office; in which caſe, they ſhall ſtill enjoy the Honour, and ſhall be recommended to their Churches for a maintenance, being provided of another which ſhall perform their Office.

CONFORMITY.

Old Age and Sickneſs being no lawful cauſe of depoſition, it is with good reaſon they here except them out of the Number of thoſe things for which Biſhops and Deacons are wont to be degraded, and to turn them into the Rank of Lay-men, from the which they were before diſtinguiſh'd; as for Old Age, it is certain, that in the Primitive Church, when a Paſtor was well ſtricken in years, and that by reaſon thereof he could not perform all things relating to his Office, ſome other was choſen to aſſiſt him; but in continuing to him the Honour of his Office, and a competent Maintenance. It was ſo practiſed at the beginning of the 3d Century, in regard of *Narciſſus* Biſhop of *Jeruſalem*, Aged 116 years; for there was by conſent of the Neighbouring Biſhops, given to aſſiſt him in that weighty employment, *Alexander*, who had been Biſhop in *Cappadocia*. It was for the ſame reaſon, that *Theotecnus*, Biſhop of *Cæſarea* of *Paleſtine*, Conſecrated one *Anatolius* Biſhop, with whom he divided the care of his Dioceſs, which they govern'd both together for ſome time: Theſe are the two Ancienteſt Examples of Coadjutors of Biſhops, as is ſpoke at this time; they were at firſt introduced

Euſeb. Hiſt. Eccleſ. l. 6. c. [illegible].

Id. ib. l. 7. c. 32. p. 288.

troduced for the eaſe of Miniſters, who for their extreme Age could not diſcharge the Duties of their Paſtoral Office; but ſince that time, Favour and Ambition has had a much greater ſhare in eſtabliſhing theſe kind of Coadjutors, than Neceſſity; although the Council of *Antioch* in the year 341, expreſly defends it in the 23. Canon, which practiſe St. *Auſtin* was a ſtranger to, when *Valerius* made him his Coadjutor, and deſigned him his Succeſſor, as *Poſſidonius* obſerves in the eighth Chapter of his Life; where he takes, if I be not deceived, the Council of *Antioch* for that of *Nice*, the fourth Canon of which preſcribes only the manner of Promotion of Biſhops; whereas the 23. of *Antioch* abſolutely prohibits a Biſhop to eſtabliſh himſelf a Succeſſor, and by the ſame means a Coadjutor.

I come now to Sickneſſes, and other like accidents, for the which we do not think fit a Miniſter ſhould be depoſed; we do not indeed in the firſt Ages of the Church find any Rule on this ſubject, becauſe in all likelihood, as yet none were found that would diſpute to a Paſtor, (who by reaſon of Sickneſs could not diſcharge the Duties of his Calling) the name and quality of Paſtor, no more than things neceſſary for his ſubſiſtence. In the time of *Gregory* the Firſt, things having in all likelihood changed face in this regard, this Prelate made a Conſtitution which is yet to be ſeen in the *11th.* Book of his Letters, *Indict.* 6. *Ep.* 7, & 8. by which he appoints that a Coadjutor ſhall be provided for the Biſhop, who by reaſon of Sickneſs cannot take care of his Congregation, which nevertheleſs ſhall be bound to maintain him as before; it is much after this ſort he deals by the Biſhop of *Rimini*, who by his own confeſſion, a great pain in the head rendered incapable of diſcharging his Epiſcopal Office, for which

which cauſe he deſired to be abſolutely diſcharged, that another might be put in his place; which could not have been done without his conſent, but only to have given him a Coadjutor. The Biſhops of *France* did otherwiſe in regard of *Heriman*, or *Herman*, Biſhop of *Nevers*, who was troubled with a mighty head-ach, but he ſtoutly reſiſted them; as alſo *Vvenilen* Biſhop of *Sens*, his Metropolitan, for they would have put another in his place againſt his will; but having writ to Pope *Nicholas* the Firſt, in the year 862, he diſapproved what they did in the caſe, politickly avoiding the queſtion they put to him touching the forged Decretal of *Melchiades*. Tom. 3. Conc *Gal.* Ann. 862. p. 87, 88

In the Appendix at the end of the Letters of *Loup* Abbot of *Ferriers*, of the laſt Edition, there's a Letter of *Innocent* the Third to the Archbiſhop of *Tours*, writ in the year 1209, whereby he will have the Biſhop of *Perigueux* to reſign his Biſhoprick to another, becauſe he was uncapable and unfit to diſcharge the Office; and that moreover he waſted the Treaſure of the Churches; altho he judges the former reaſon ſufficient cauſe for the reſignation: But *Innocent* the Sixth in the ſixth year of his Popedom, that is, about the year of Chriſt 1360, writes to *Girlac* Archbiſhop of *Mayence*, to appoint a Coadjutor to *Salvian* Biſhop of *Worms*, by reaſon of his great age and ſickneſs, without leaving the Coadjutor any hopes of ſucceeding him after his death; the Letter is to be ſeen in the ſame Appendix.

Mark, Patriarch of *Alexandria*, having demanded of *Balſaman* the famous *Greek* Canoniſt that liv'd in the Twelfth Century, If a man that had but one hand, or but one eye, were worthy the honour of Prieſthood; and whether 'twere permitted to him that after Ordination chanc'd to be diſmembered in any part of his body, Apud *Beaurig.* Annot. in Can. Apoſt. To. 2. Pandect. p. 37.

body, to celebrate Divine Service, or not? *Balſaman* after having alledged the 77, and 78 Canons of thoſe which go in the Apoſtles names, to reſolve the difficulty propoſed to him, adds, That thoſe ought not to be eſtabliſhed in Eccleſiaſtical Offices, which by reaſon of their ſickneſs and infirmities, are incapable of doing their Duties; but as for thoſe which ſince their Ordination are faln into any miſchance, he declares, That if their inconvenience don't hinder them from diſcharging their calling, they are permitted to continue in it, and to celebrate Divine Service; but if the inconvenience be ſuch as that it hinders them, he will that they deſiſt from doing the ſervice, but that the honour and dignity be continued them, with the enjoyment of things neceſſary for their ſubſiſtence. *Mathew Paris* obſerves in his Hiſtory of *England*, in the year 1095, that *Lanfranc* Archbiſhop of *Canterbury*, in a Synod he held at *Weſtminſter*, Anno 1075, judged, that the not underſtanding the *French* Tongue in a Biſhop, with the incapacity of not aſſiſting at the King's Councils, was a juſt cauſe of depoſition; and it was thereon he grounded that of *Wolſtan* Biſhop of *Worceſter*. Hereby let the Genius of this Prelate be judged; and let no body any further wonder, that the Doctrine of *Tranſubſtantiation*, which he promoted with ſo much earneſtneſs, made ſuch progreſs in a time of ſuch ignorance, to the prejudice of the ancient belief of the Church.

Moreover, the Reader may obſerve, if he pleaſe, that the ancient Councils did not put the inconveniencies of *Lunatiſm*, and of thoſe tormented by the evil ſpirit, in the rank of thoſe for which it was not ſuffered to depoſe Paſtors; on the contrary, they baniſhed from Eccleſiaſtical Orders, all thoſe as were any ways touched with

with theſe things, and if they were already promoted, they were removed, as appears by the 29*th*. *Can*. of the Council of *Eliberi* in *Spain*, aſſembled in the year 305. By the 16*th*. of the firſt Council of *Orange* in the year 401, in the firſt *Tome* of the Councils of *France*, by the 13*th*. of the 11*th*. of *Toledo*, in the year 675. *Tom*. 4. *Conc*. *p*. 825. it is anſwerable to what Pope *Gelaſius* the Firſt writ to the Biſhops of *Lucania*, at the end of the Fifth Century, *Cap*. 21. *Tom*. 3. *Concil*. *p*. 636. There might be added to all theſe Teſtimonies, *Grat*. 33. *Diſtinct*. *Cap*. 3, *&* 4. Tom. 1. Conc. pag. 235.

XLIX.

Scandalous Vices puniſhable by the Magiſtrate, as Murder, Treaſon, and others, which ſhall reflect to the great diſhonour and ſcandal of the Church, deſerve that the Miniſter ſhall be depoſed, altho they had been committed not only before his Election, but alſo in the days of his ignorance; and that in caſe of continuance in the Miniſtry, he brings greater ſcandal than edification to the Church, whereof the Synods ſhall take account.

CONFORMITY.

St. *Paul*, who lays down to his Diſciple *Timothy*, the qualities requiſite to be in a good Paſtor, deſires amongſt other things, he ſhould be irreprehenſible; the Primitive Chriſtians following the ſteps of this great Apoſtle, have always with great care debarred from all Eccleſiaſtical Offices, thoſe who were not of a very clear reputation, eſpecially ſuch as were vicious and ſcandalous, whom they never would admit of; and they were ſo ſtrict herein, that when they came to know after the

the Ordination of any one, that he had committed any heinous ſin before his promotion (for example the ſins of Fornication, or Adultery) they inflicted on him a puniſhment in ſome meaſure proportionable to the greatneſs of his crime; but far leſs than if he had done it after his Ordination. The Council of *Neocæſaria*, aſſembled as is thought in the year 314, the Decrees whereof make part of the Code of the Canons of the Univerſal Church; this Council ſufficiently inſtructs us of the two things I now have mentioned; for in the ninth Canon it forbids the Celebration of Divine Myſteries to him that ſhall have confeſt, or be convinced to have ſinned in his body, before his promotion; permitting him nevertheleſs, for living ſoberly ſince his receiving into Prieſtly Orders, to exerciſe the other Functions; but in the former, the Fathers intirely depoſe the Prieſt which ſhall have committed Adultery, or Fornication, that is, ſince his admiſſion into Holy Orders. The Council of *Valentia* in *Dauphine*, in the year 374, in its fourth Canon, excludes from all Church Dignities, the Biſhops, Prieſts, and Deacons, which declare at the time of their Ordination, that they are guilty of any Crime which deſerves death. And that of *Orleans* in the year 511, And the firſt of thoſe held at that place, depoſes and Excommunicates, in the ninth Canon, the Prieſt or Deacon which ſhall have committed any Capital ſin; an Ordinance which the Synod of *Epaune* renewed, 22. Canon of the year 517, in the ſame Tome of the Councils of *France*; the rigor of the ancient Diſcipline extended ſo far, as to ſuſpend the Prieſt who was accuſed of any evil action, by the People committed to his Charge, altho the Biſhop could not prove the things by ſufficient witneſs, and the ſuſpenſion was to hold till he had fully acquitted himſelf, that is to ſay, till his innocency

Tom. 1. Conc. *Gal.* pag. 19.

Ib. p. 180.

Tom. 3. Concil. pa. 817. c. 10.

nocency had appeared to thoſe that thought him guilty. We at leaſt find ſo by a fragment of a Council of *Lerida* in *Spain*, aſſembled according to the common opinion, in the year of our Lord 524. Thoſe who are convicted of any evil action, are excluded from Holy Orders, by the 61 Canon of the Apoſtles.

But becauſe in examining the 47*th*. Article, we deferred to treat of the ſcandalous vices therein mentioned, when we conſider this, and the following ones, it is requiſite we ſhould ſay ſomewhat of each. The Council of *Lerida* above-mentioned, appoints in the ſame place, to depoſe thoſe which ſhall be convicted of Cheating, Perjury, Robbing, Fornication, and other the like crimes, under which may be comprehended, Drunkenneſs and Quarrelling, both worthy to be puniſhed by the Law; two Sins which are alſo mentioned in the 47*th*. Article of our Diſcipline, without touching at the 55*th*. Canon of the Synod of *Laodicea*, which forbids Churchmen to make Feaſts, where each perſon contributes his ſhare and portion; nor at the 24*th*. which forbids them entering into a Tavern. The Council of *Epaume*, cited a little before, puts *falſe witneſs* in the number of Capital Sins, for which it will have Miniſters to be depoſed. The third of *Orleans*, in the year 538. ſpeaks of Adultery, Thieving, Cheating, of Perjury, or falſe witneſs, in the ſeventh and eighth Canons, *Tom. Conc. Gall.* and the 42*th*. of the Apoſtles, formally depoſe againſt Play and Drunkenneſs; and the 25*th*. for the ſame Sins, as the third of *Orleans*; And the 54*th*. excludes from the Communion any one of the Clergy found entring into a Tavern, unleſs it be in Travelling, that he by neceſſity is conſtrained to lodg in a Tavern, or Inn; and the twelfth Canon of the fourth Council of *Tolledo* in the year 633, excludes from the Miniſtry of the Church,

Can. 13. Can. 22.

thoſe which are ſpotted with any crime, or which do bear any mark of infamy.

As for what regards Simony, which according to our Diſcipline deſerves depoſition, St. *Baſil* was of the ſame judgment, as he ſhews in the Letter which he writ to the Biſhops of his Dioceſs, and which in the new Edition Printed in *England*, of the Canonical Epiſtles of the Holy Fathers, four years ago, makes the 91. Canon of this Holy Doctor. The ſecond Canon of the Council of *Chalcedon*, without redemption, condemns all Simoniacal Ordinations, and depoſes as well him which gives, as he which takes Ordination for Money; and ſerves no better, thoſe which intermeddle in this filthy and ſhameful Traffick. The 29*th.* of the Canons attributed to the Apoſtles, is ſet down in theſe terms, *That the Biſhop, Prieſt, or Deacon, that has obtained this Dignity by money, be depoſed, with him that gave him Impoſition of Hands; and debar'd from the Communion.* There's an infinite number of other Canons no leſs ſevere to thoſe which expoſe to ſale the gift which can't be ſold, nor valued, as the Fathers of *Chalcedon* expreſs it.

The Combinations which our Reformers condemn, and under which they comprehend the ſupport and favour of great men, whoſe credit and recommendation may contribute to the promotion of ſome one; theſe contrivances, I ſay, are forbid by the ancient Diſcipline. St. *Chryſoſtom* condemns them highly in his third Homily on *Chap.* 1. of the *Acts of the Apoſtles.* St. *Jerome* does the like in his Commentary on the firſt *Epiſt.* to *Titus.* Pope *Hormiſda* in his 25*th.* Letter to the Biſhops of *Spain*, follows the ſteps of theſe two Illuſtrious Writers. *Gregory* the firſt in ſeveral places of his Writings, forbids to confer Orders, or prefer to Church-Offices, by motives of favour, or conſideration for perſons of Quality;

Tom. 3. Concil. pag. 757.

lity; ſo 'tis they expreſs themſelves in the 22*d* and 24*th.* of the ſecond Book, in the 56*th.* of the fourth, in the fifth of the ſeventh, and in the fiftieth of the ninth. Unto all theſe teſtimonies may be added, what he writes in the fourth Homily upon the Evangeliſts, and in his Moral Expoſition of *Job*; the 30*th.* Canon of thoſe which go in the Apoſtles Names is formal in the caſe; *If a Biſhop employ the great men of the times to obtain a Biſhoprick, let him be depoſed, and deprived of the Communion, with all thoſe that are concern'd with him.* The Eleventh Canon of the Fifth Council of *Orleans*, in the year 549, preſcribes ſomething of the ſame nature.

Lib 9 c. 17 & lib. 12. c. 25.

Tom. 1. Conc. *Gall.* p. 280.

Quarelling and Violence, which ſometimes is of ill conſequence, are puniſhed with depoſition in the 65*th.* Canon of the Apoſtles. *If any one of the Clergy, having a difference with any other, gives him a blow whereof he dies, let him be depoſed, by reaſon of his raſhneſs, and too much paſſion.* And the 27*th.* involves in the ſame puniſhment in general, all thoſe which fight and ſtrike each other.

The ancient Diſcipline, as well as ours, depoſed Eccleſiaſtical Uſurers, as appears by the 17*th.* Canon of the firſt Council of *Nice*, which plainly threatens with this puniſhment, all thoſe of the Clergy which ſhall be guilty of this Sin. After the definition and prohibition of this great Synod, to this Canon may be added the fourth of the Council of *Laodicea*, though 'tis not ſo poſitive and expreſs; the 44*th.* of the Apoſtles is formal in the caſe.

The crime of Treaſon and Rebellion, has not been omitted in our Diſcipline, being it furniſhes a juſt and more than ſufficient cauſe of depoſition. If any one, ſaith the 84*th.* Canon of the Apoſtles, *offers to injure the King, or the Prince, let him be puniſhed; if he be of the Clergy, let him be depoſed; and if a Lay-perſon, let him be Excommunicated.*

As for deſerting their flocks, by Paſtors forſaking them without licenſe, it is puniſhed by the ſame puniſhment, by the third Canon of the Council of *Antioch*, in the year 341; and by the tenth and twentieth of that of *Chalcedon*. There remains ſomething to be ſaid of Schiſm, which commonly is attended with Rebellion againſt the Eccleſiaſtical order, and with a diſregard of Caveats and Remonſtrances, made to the Authors of theſe Partialities and Diviſions, by thoſe who have right and power to do it. The ſixth Canon of the Council of *Ganges* in *Paphlagonia*, aſſembled *Ann. Dom.* 325. or as I think, much later, has this Decree, *If any ſhall hold private Aſſemblies out of the Church; and if out of contempt to the Church, they undertake to do that which ſhould be done in the Church only, without ſo much as having a Prieſt by conſent of the Biſhop, let him be Anathema.* The 31*ſt.* of the Canons which go in the Apoſtles Names, pronounces ſentence of depoſition againſt a Prieſt who deſpiſing his Biſhop, altho he has done nothing contrary to Juſtice and Piety, if he makes Aſſemblies apart, and raiſes Altar againſt Altar, doing after this manner, he manifeſts his Tyranny and Ambition; it's true he adviſes he ſhould be warn'd three times before he is degraded. The fifth Canon of the Council of *Antioch* is too remarkable to paſs it under ſilence: *If a Prieſt or Deacon* (ſays it) *ſlighting his Biſhop, and ſeparating himſelf from the Church, makes a Congregation apart, and raiſes an Altar, and refuſes to hearken to his Biſhop, when he recalls him, and don't prepare to pleaſe and obey him at the firſt nor ſecond time that he calls him, let him abſolutely be depoſed, without any remedy for his evil, nor recovery of his place and dignity; and if he continue to ſtir up troubles and ſeditions in the Church, let him be puniſhed by the Secular power, as a ſeditious perſon.*

perſon. The firſt Oecumenical Council of *Conſtantinople*, in the year 381, employs its ſixth Canon againſt thoſe which endeavour to confound and overthrow the Eccleſiaſtical Order. And the firſt Council of *Epheſus*, aſſembled in the year 431, deprives of all power over the Biſhops of the Province, and from all Eccleſiaſtical Communion, the Metropolitan, who ſeparating himſelf from the holy Oecumenical Synod, has, or ſhall adhere to the Council and Aſſembly of Apoſtacy, and Rebellion; and moreover declares him incapable of exerciſing any Office, ſubjects him to all the Biſhops of the Province, and to all the Neighbouring Metropolitans, which make profeſſion of the Orthodox Faith; and to inhance his puniſhment, it degrades him from the Epiſcopacy. One may add to this Decree, the 3, 4, and 5*th.* Canons of the ſame Council.

Howſoever it be, Rebellion, and the contempt of Remonſtrances, which for the moſt part accompany Schiſm and Diviſions, did not find in the Diſcipline of the Ancients more kind entertainment than in ours, ſeeing that after two or three Advertiſements and Summons, they proceeded, as has already been ſeen, to the degrading of obſtinate and rebellious Clergy-men. So it was done to *Neſtorius*, who was cited three times before he was condemned, as is evident by the Acts of the firſt Council of *Epheſus*. It was alſo the manner of proceeding uſed againſt *Macarius* Biſhop of *Antioch*, a *Monotholite*, towards the end of the ſeventh Century: In the Sixth Oecumenical Council held at *Conſtantinople* by the Emperor *Conſtantine Pogonat*, or the * Hairy; and it may be ſaid, 'twas the uſual practice of the Church. The 74*th.* Canon of the Apoſtles explains it ſelf at large, for it orders, when a Biſhop ſhall be accuſed, the Biſhops ſhall ſummon him; and if he appears, and

* Great Beard.

and that he confeſſes, or is convicted of the crime he is accuſed of, they ſhall declare what puniſhment he has deſerved; but if being ſummoned, he don't appear, it requires to ſend two Biſhops to cite him a ſecond time; and if he fails again, that two others be ſent to cite him a third time; and if through contempt and rebellion, he refuſes to appear after thoſe three Citations, it requires the Synod to pronounce againſt him what they ſhall think fit, fearing leſt flying from judgment, he may think to have gained his Cauſe.

I almoſt forgot to have ſpoke a word of Dancing, and other Diſorders which are prohibited to our Miniſters, in the 47*th.* Article, which is very conformable to the 45*th.* Canon of the Council of *Laodicea*, eſpecially if alſo one conſiders the 35*th.* of the ſame Council.

L.

If a Miniſter be convicted of enormous and notorious Sins, he ſhall ſpeedily be depoſed by the Conſiſtory, calling unto it the Colloque; or in default of it, two or three unſuſpected Miniſters. And in caſe the guilty Paſtor complains of wrong and injury, the whole matter ſhall be reported to a Provincial Synod. If he has Preached Heretical Doctrine, he ſhall preſently be ſuſpended by the Colloque, the Conſiſtory, or two or three Miniſters thereunto called, as above, until ſuch time as the Provincial Synod has determin'd the caſe, and all ſentences of ſuſpenſion for whatſoever it be, ſhall nevertheleſs admit of appeal, until final judgment be given.

CON-

CONFORMITY.

Altho this Article hath been already explained in what has been deliver'd in the preceding ones, yet I will add ſomething for the fuller clearing of it; I ſay then, it was ſo done in regard of *Paul* of *Samoſatia*, Biſhop of *Antioch*, who being convicted of Hereſy, was preſently Depos'd, as *Euſebius* informs us. The 25th Canon of the Apoſtles, ordains to inflict the ſame puniſhment on Biſhops, on Prieſts, and Deacons, which ſhall be convicted of Fornication, of Perjury, and of Robbery; and a Council of *Lerida*, of which we have already made mention, ſhews no more favour againſt Church-men convicted of enormous and crying ſins, alledging for a reaſon, That their vicious examples are a ſcandal to the People of God. The ſecond Council of *Sevill*, in the Year 619. decrees in the 6th Canon, That it ſhould be done by authority of the Synod to which it refers, as our Diſcipline does the definitive Judgment of theſe Depoſitions, *Tom.* 4. *Conc. Pag.* 559.

LI.

The Reaſons of the Dpoſition ſhall not be divulg'd to the People, if neceſſity don't require it; whereof thoſe which ſhall have judged of the Depoſitions, ſhall do as they ſhall think convenient.

CONFORMITY.

This Eſtabliſhment in regard of depoſed Miniſters, is like that of Pope *Leo* I. in regard of thoſe who were to do publick Penance; for being inform'd that in ſeveral

veral parts of *Italy*, the Biſhops cauſed publickly to be
Ep. 80. rehers'd the Sins of thoſe which were to do Penance, he condemns this practice, and expreſly forbids to do ſo
Ep. Can. 2. for the future; and a long time before *Leo*, St. *Baſil*
Cap. 34. declares, That the Fathers had prohibited to divulge to the People, the Women which were guilty of Adultery, either by their own Confeſſion, or after having been convicted of it.

LII.

The National Synods ſhall be advertis'd by the Provincial ones, of thoſe which ſhall be Depoſed, to the end they ſhould not receive them.

CONFORMITY.

In the Primitive Church, when any Paſtor was Depoſed, advice was given to all the Churches, to the end
Euſeb. Hiſt. l. 7. c. 30. that none ſhould receive him; according to which, after the Synod of *Antioch* had Depoſed *Paul* of *Samoſatia*, in the 3d Century, for Hereſy, it wrote a long, fair Letter, to all the Biſhops, and to all the Churches in general, to inform them at large, of all that had paſſed in the Condemnation of this great Heretick. *Alexander* Biſhop of *Alexandria*, having Condemned *Arrius*, and his adherents, he alſo writ to all the Catholick Biſhops,
Socrat. Hiſt. Eccleſ. *lib.* 1. *c.* 6. *p.* 13. *ult. Edit.* Pag. 27. *Paris.* 1598. *To the end, ſaith he, that you ſhould not receive him, if by chance he ſhould have the confidence to go to you, and that you ſhould not give credit to what* Euſebius, *or any one elſe may write to you in his behalf:* St. *Hillary*, Biſhop of *Poictiers*, informs us in his *Fragments*, That the *Weſtern* Biſhops, Aſſembled at *Sirmium*, in the year 350. having

having Anathematiz'd the Heretick *Photin*, they sent into the *East* the Decree of his Condemnation, to inform them after the usual manner, of what they had done against him. *Theodoret* has preserv'd to us in his Ecclesiastical History, the Letter of a Council of Bishops in *Illyria*, writ about the Year 370. by which, amongst other things, they inform the Churches of God, and the Bishops of the Dioceses of *Asia*, of the Deposing of certain Clergy-men, infected with the Impiety of *Arrius*, whose Names they express. Accordingly the Fathers of *Chalcedon*, say, in their Relation to the Emperors, that the *Sardick* Synod, gave notice into the *East*, of what they had done against the remains of *Arrius*, as the *Eastern* Bishops did those of the *West*, of their Decree against *Apollinarius*: They went yet further; for they published these Sentences of Deposition in the Churches which had been advertis'd of it. In short, St. *Austin* in his 3d Book against *Petilian*, Chap. 39. makes mention of a Deacon called *Splendonius*, which had been Depos'd in part of *Germany*, and the Decree of his degradation was read in the Churches of *Africa*, when they had received notice of it by the Prelates which had condemn'd him.

Lib. 4. *c.* 9.

Tom. 3. Concil. p. 468.

LIII.

Ministers which have been Depos'd for Crimes which deserve signal punishment, or that bear marks of Infamy, cannot be restored to their Office, what acknowledgment soever they make. As for other less faults, after due acknowledgment made, they may be restor'd by the National Synod, however to serve in another Church, and not otherwise.

CONFORMITY.

The 28th Canon of thoſe aſcribed to the Apoſtles, appoints to ſeparate wholly from the Communion of the Church, the Biſhop, the Prieſt, or Deacon, which having been Depos'd for notorious Crimes, has nevertheleſs the confidence to reaſſume the Miniſtry which had been committed to him; the 4th of the Council of *Antioch* leaves him no hope at all of being re-eſtabliſh'd; no not ſo much as liberty to defend himſelf, or plead his Cauſe in another Synod. The 5th Canon treats not more favourably, Rebels and Schiſmaticks; the 14th and 15th confirms the judgment of the Provincial Synod, unleſs in caſe the Opinions were divided; in which Caſe, they preſcribe to call other Judges of ſome adjacent Province. The 29th of the Council of *Chalcedon*, ſpeaking of Biſhops, which from the Epiſcopal Degree are deſcended to that of Presbytery, it declares, That if they are condemn'd for juſt Cauſe, they are not worthy of the Honour of Prieſthood it ſelf. To this Settlement may be referr'd the Canons which deſcend to receive to the Communion in a Church, or Province, thoſe which have been Excommunicated in another; as the 5th of the 1ſt Council of *Nice*, the 6th of that of *Antioch*, the 32 of the Apoſtles, and divers others.

After all, the Conſtitution of our Diſcipline which we examine, gives Power to Synods to reſtore after due acknowledgment, thoſe which have been depos'd for leſſer faults, but to ſerve in another Church; which in ſubſtance, is one of the Decrees of the Council of *Lerida*, which we have cited ſeveral times; there's ſomething much like this in the 11th Canon of the Council in *Trullo*,

Tom. 3. Concil. p. 817. c. 10.

Trullo, at the end of the 7th Century, *Tom.* 5. *Conc. Page* 329.

LIV.

Vagabonds, that is to ſay, thoſe which have no vocation, and that intrude into the Miniſtry, ſhall be ſuppreſſed; and whatſoever the Provincial Synods do, as to prohibiting the Miniſtry, it ſhall have the ſame virtue and effect, as if the National Synod had enjoin'd it.

CONFORMITY.

The 6th Canon of the firſt Oecumenical Council of *Conſtantinople*, may well be applied to this Article, ſeeing it was made againſt thoſe which endeavour to confound and overthrow the Eccleſiaſtical Order; In the year 752. was held a Council at *Verberie* in *Valois*, (it was a Royal Houſe in the Dioceſs of *Soiſſons* near *Champaigne*). The 14th Canon of which, is againſt wandring and ſtraying Biſhops. The 22d of that of *Mayence* in the year 813, in the ſame Volume, *pag.* 281. is alſo againſt wanderers; as alſo the 101ſt. of the Synod of *Aix la Chappelle*, in the year 816. the ſame, *page* 376. And to conclude, the 5th of the 2d Council of *Toul*, Aſſembled at *Touſi*, in the ſame Dioceſs, *Anno Dom.* 860. by Order of *Charles the Bald*, and of *Lothaire*; to all theſe Canons may be added, the 13th of the Synod of *Vernon*, under *Pepin*, in the Year 755. *Tom.* 1. *Conc. Gall. pag.* 3. Tom. 2. Conc. Gal. p. 4.

LV.

Thoſe which are declared Vagabonds, Apoſtates, Hereticks, Schiſmaticks, ſhall be proclaim'd in all Churches, that they might beware of them, and a Liſt of their Names ſhall be deliver'd to the Provincial and National Synods.

CONFORMITY.

What we have ſaid on the 52d Article, is very proper for this, therefore it is needleſs to repeat it.

LVI.

Thoſe who have been put in the number of Wanderers, by advice of the National Synod, cannot be ſtruck out but by another National Synod.

CONFORMITY.

There's nothing in this Eſtabliſhment, but what is conformable to the method of Ancient Canons, which frequently remitted differences to be determin'd at Synods, to the end, that being decided this way, every body ſhould acquieſce to their determinations, eſpecially when it was tranſacted by the Synods of the whole Dioceſs, which comprehended ſeveral Provinces, and to which do anſwer our National Synods; this appears by ſeveral Canons of the Councils of *Nice*, of *Antioch*, of the 1ſt of *Conſtantinople*, and others; the 22d of the Council of *Mayence*, alledged by us on the 54th Article, does expreſly refer the queſtion of wandring Churchmen, to the Cenſure of the Synod.

LVII.

LVII.

Thoſe which ſhall inſinuate themſelves into the Miniſtry, in the Provinces and Places where the pure Miniſtry is already Eſtabliſhed, ſhall be duely advertiſed to deſiſt, and in caſe they perſevere, they ſhall be declar'd Schiſmaticks, as alſo thoſe which adhere to them, if after the like warning they do not leave them.

CONFORMITY.

No one, ſaith the Apoſtle, ought to aſſume to himſelf the Honour of the Miniſtry, unleſs he be lawfully called to it; therefore 'tis with great reaſon, that the Authors of our Diſcipline appoint, That the temerity of thoſe ſhould be reproved, which intrude into the Miniſtry without Vocation, both in the Country, and other places, where the Miniſtry is already Eſtabliſhed. It is on this account that the Author of the pretended Canons of the Apoſtles, prohibits Lay-perſons to perform any Function of the Sacred Miniſtry of the Church, as to Chriſten, to Adminiſter the Lord's Supper, and the laying on of hands; and declares, That thoſe which ſhall undertake it without being called, ſhall be puniſhed with the puniſhment of *Uzza*. It is for the ſame reaſon, That the Ancient Canons forbid Biſhops (on pain of Depoſing) to meddle out of their Dioceſſes, or there to make Ordinations, to the prejudice of their Brethren. It is juſt the ſame as is enjoyn'd in the 35th of the Apoſtles; to the which may alſo be added the 12th and the 16th of the 1ſt Council of *Nice*, which ſay ſomething near the ſame matter. The 8th of the 1ſt Council of *Epheſus*, in the Year 431, is more formal; for

L. 3. *c.* 10. *Paris.* 1608.

for upon occaſion of the Incroachments which the Biſhop of *Antioch* made on the Iſle of *Cyprus*, the Fathers appoint, That each Province ſhall enjoy its Privileges, and forbids Biſhops to incroach, or make themſelves Maſters of places which have not been always under their Conduct, with Expreſs Command to reſtore thoſe they had uſurped, that the Authority of Ancient Canons may not be trampled under foot: To all which may be added, part of what I have obſerved on the 18th and 24th Articles; and beſides, what *Socrates* has writ of one *Iſchyras*, which was of St. *Athanaſius* his Dioceſs, and who never having been preferr'd to the Honour of Prieſthood, had nevertheleſs the impudence to aſſume the Name, and do the Functions of a Prieſt; which the Hiſtorian judged worthy of ſeveral deaths. It's true, this inconſiderate Perſon in all likelihood acted after this manner, thinking he ſhould be favour'd by the *Arrians*, which were Enemies to *Athanaſius*, which ſucceeded accordingly; for they advanc'd him to be Biſhop, as appears by the 20th Chapter of the 2d Book of the ſame *Socrates*. *Zozomen* calls him *Iſchyrion*, in the 12th Chap. of the 3d Book of his Hiſtory.

CHAP.

CHAP. II.

Of SCHOOLS.

ARTICLE I.

THE Churches ſhall uſe their beſt endeavour to Erect Schools, and ſhall give Directions, that Youth be inſtructed.

CONFORMITY.

The inſtruction of Youth being of the greateſt importance for eſtabliſhing of the Truth, for advancing the Glory of God, and for the Edification of his People, it was great reaſon to procure amongſt us the means of doing it, wherein our Fathers have exactly followed the Example of the Primitive Chriſtians, who neglected nothing for the Educating of their Children; for not to inſiſt on *Grammar*, or *Rhetorick*, to which Schools they ſent them, until the Emperor *Julian* the Apoſtate (who gain'd this Name by his falling off from the Truth) forbid the Maſters of thoſe two Arts, to teach them to Chriſtians; which *Amianus Marcelinus*, though a Heathen, condemns as an Action directly contrary to the Laws of Clemency and Equity; not to inſiſt, I ſay, on theſe things, no more than on other humane Sciences, the knowledg of which they were no ſtrangers to; Who don't know, that their principal ſtudy was to underſtand the Truths of the Holy Scriptures, the Myſteries of Piety, and of Religion; It was for this Reaſon

Reaſon, that from the very firſt beginning of Chriſtianity, they had publick Schools, wherein the principal Matters, and Fundamental Points of the Religion of the Son of God, was taught; as has been proved on the 13th Article of the 1ſt Book.

Now to deſcend lower, I obſerve, that *Charlemain*, who may be looked on as the firſt reſtorer of Sciences, in a great part of the *Weſt*, I ſay, he took care to ſettle Schools in Monaſtries, and Epiſcopal Houſes, for the Inſtruction of Youth; it is what he particularly enjoins in his Capitulary, in the year 789. *Theodulph* Biſhop of *Orleans*, declares in his, made Eight years after the other, That there were ſeveral Schools in his Dioceſs, which he names; and moreover appoints to have others in the Country, and in Villages. The 2d Council of *Chalous* on *Soan*, made a Decree in the year 813. which deſerves here to have its place. *It is requiſite, that according to the command of the Emperor* Charles, *a Prince endowed with ſingular Sweetneſs, Force, Prudence, Juſtice, and Temperance; Biſhops ſhould Eſtabliſh Schools, where the Doctrine and Knowledge of the Holy Scriptures may be Learned, and where perſons may be inſtructed, of whom our Saviour may juſtly ſay, Ye are the Salt of the Earth, and may be the ſavour of the People, and whoſe Doctrine may not only reſiſt ſundry Hereſies, but alſo the temptations of Antichriſt, and the Antichriſt himſelf; and that ſo it may juſtly be ſaid of them, in praiſe of the Church, A Thouſand Bucklers, and the Arms of Men of might, are there.* The Synod of *Paris*, term'd the VI. in the Year 829. make requeſt to *Lewis* the *Debonnair*, in following his Predeceſſors ſteps, That he will be pleas'd, by his Authority, to procure the Eſtabliſhment of ſome publick Schools, at leaſt in three of the moſt convenient places of his Empire; to the end, that his Father's, and his pains,

Tom. 2. Conc. *Gall.* p. 152. c. 72.
Ib. p. 215. c. 19, 20.
Ib. p. 308. Can. 3.
Ib. lib. 3. p. 549. Can. 12.

pains, might not be in vain: Beſides, that this Eſtabliſhment would be very uſeful, and glorious to the Church of God; and that by this Action, he would make his name Immortal. The Council of *Meaux*, in the Year 845. requires, that each Biſhop has a Learned Man, of a good and unblameable Life, to teach and inſtruct Prieſts, which have the care and conduct of People, in the truth of Faith, and in the obſervation of God's Commandments; and to enable them to Preach, that the Light of the Word of God may ſhine always in the Houſe of God, which is the Temple of the Living God. Tom. 3. Conc. *Gall.* p. 41, 42. Can. 35.

It is alſo the ſubſtance of the 18th Canon of the 3d Council of *Valentia* in *Dauphine*, aſſembled Ten years after that of *Meaux*; of the 34th of a *Roman* Synod held in the 9th Century, under Pope *Eugenius* the 2d. and which is repeated, and inlarged in another under *Leo* the IVth. in the ſame Century. Ib. p. 104. Collect. Rom. Part 2. p. 43, 89.

II.

The Regents and School-maſters, ſhall ſign the Confeſſion of Faith, and the Eccleſiaſtical Diſcipline; and the Cities and Churches ſhall not receive any without the conſent of the Conſiſtory of the place.

CONFORMITY.

The Regents and Maſters of Schools, which ſerve in our Academies, eſpecially Profeſſors of Divinity, being called to teach their Scholars the ſame Truths, as thoſe Miniſters are oblig'd to Preach to their Congregations, and to have them live under the Law of the ſame Diſcipline; it is juſt, they ſhould, as well as the Miniſters, ſign our Confeſſion of Faith, and our Diſci-

pline, to the end their Leſſons may be always conformable to the former, and their Actions to the latter; as well in regard of themſelves, as of thoſe which depend on their Conduct. I will not here repeat what I have ſaid on the 9th Article of the 1ſt Chapter, and which may conveniently be applied to that we now Examine; it ſhall ſuffice to add, that what we expect of our Regents, is in ſubſtance the ſame thing as the Proteſtations made by Doctors in Univerſities, amongſt the Latins, Not to ſay nor write any thing contrary to the Holy Scriptures, and the Decrees of Councils.

III.

The Doctors and Profeſſors in Divinity ſhall be Elected by the Synod of the Province where the Academies are, and ſhall be Examin'd, as well by the Leſſons they ſhall make on the Old and New Teſtament, according to the Authentick Texts of Hebrew *and* Greek, *which ſhall be delivered to them, as by Diſputation, of one or more days, as ſhall be thought fit; and being found capable, if they are not Paſtors, the hand of fellowſhip ſhall be given them, having firſt of all promiſed faithfully and diligently to diſcharge their Duty, and to Teach the Scripture with all purity, according to the Analogy of Faith, and according to the Confeſſion of our Churches, which they ſhall ſubſcribe.*

CONFORMITY.

The Council of *Chalons*, which was cited upon the firſt Article, refers to Biſhops, and by conſequence to their Synods, the Choice and Eſtabliſhment of thoſe which are to Teach Divinity, and the Myſtery of Salvation;

vation; and that of *Meaux*, which we alſo cited on the ſame Article, preſcribes the Gifts and Qualities, as well for the Doctrine, as the Life and Converſation; ſo that we may ſay, it amounts near to the Eſtabliſhment of our Diſcipline, if you except only the form and manner of inſtallation, whereof theſe two Councils make no mention at all. Pope *Alexander* the 3d, in his *Lateran* Council *An.* 1189. uſes the 18th Canon, to provide for the eſtabliſhing and preſerving of Schools, in appointing Penſions to Maſters and Regents; it is the ſubject of the 11th Canon of another *Lateran* Council, 36 years after that, under *Innocent* the 3d, which alſo declares, There ought to be in each Metropolitan Church a Doctor in Divinity, to expound to Prieſts and others, the Holy Scriptures, and to inſtruct them in things neceſſary for the guide of Souls.

Tom. 7. Concil. part 2. p. 660.

IV.

To the end there might be always good ſtore of Paſtors, and that Churches may be always well provided with perſons capable to conduct them, and to Preach the Word of God; the Churches are adverti'd to Elect hopeful Scholars, ſuch as are already well advanced in Learning, to keep them at Univerſities, that there they may be fitted and prepared to be employed in the Holy Miniſtry, incouraging the Children of poor Miniſters, which are apt for Learning, whereof the Colloques ſhall take notice. Kings, Princes, and great Lords ſhall be deſired and Exhorted to aſſiſt herein, and to contribute part of their Revenue, as alſo opulent Churches. The Colloques, and Provincial Synods ſhall give advertiſements where and when they ſhall ſee occaſion, and ſhall uſe all convenient means, that things ſo neceſſary might be brought to good effect; and if ſingle Churches can't do it, neighbour-

ing Churches ſhall join together, that at leaſt there might be a maintenance for each Colloque; and that rather than fail, the 5th Penny of the Alms-money be ſet apart for this uſe, if it may be conveniently done.

CONFORMITY.

It appears by the 14th Canon of the Synod of *Epaum*, Aſſembled in the Year 517, That it was practis'd at that time juſt as our Diſcipline preſcribes; for it appoints to him of the Clergy that ſhall have received any Gratification and Preſent from the liberality of the Church wherein he liv'd, that he ſhould return it back again, if he be advanced to be Biſhop of another Church; it appears to me, this cannot be underſtood, but of the aſſiſtance was given him during the time of his ſtudies, ſeeing that from the very moment any one entred into the Service of a Church, he was to have his ſupport and maintenance from it. It was in this regard *Theodolphus*, Biſhop of *Orleans*, permitted the Prieſts of his Dioceſs, in the Year 797. to ſend their Nephews, or ſome of their Relations, unto the School he names, which they ſhall like beſt, there to be Taught and Educated. There's ſomething like this in the Seminaries, which the 2d Council of *Toledo*, as 'twere, founded in the Year 530. and the 4th of the ſame place, *An.* 633. *Can.* 23, or 24. *Tom.* 4. *Conc. Page* 588. Not ſo much as the Council of *Trent*, but made a Decree in the 29th Seſſion, *Anno* 1563. for the Eſtabliſhing theſe Seminaries, *Tom.* 9. *Conc. Page* 409. *cap.* 18.

V.

V.

In each Church there ſhall be appointed Propoſitions of the Word of God amongſt the Scholars, according as the convenience of the place and perſons ſhall permit, where the Paſtors ſhall be preſent, as well to preſide, as to direct and help the ſaid Students.

CONFORMITY.

The Exerciſes here preſcrib'd, have no other ſcope, but to fit and prepare Students in Divinity for Preaching, and to put them in a condition to Preach the Goſpel to Edification, with profit; which agrees very well with the Eſtabliſhments of the Synods of *Chalons*, and *Meaux*, which we cited on the firſt Article.

CHAP.

CHAP. III.

Of ELDERS *and* DEACONS.

ARTICLE I.

IN thoſe places where the Order of Diſcipline is not yet Eſtabliſhed, the Election as well of Elders as of Deacons, ſhall be made as well by the common voice of the People as of the Miniſters; but where the Diſcipline is already eſtabliſhed, it ſhall pertain to the Conſiſtory with the Paſtors, to make choice of the fitteſt Perſons, by ardent Prayers, to that effect; And the Parties ſhall be expreſly nominated publickly in the Conſiſtory; and to thoſe which ſhall be choſen, the Office ſhall be read, to the end they may know the buſineſs they are to be employed in. If they conſent to it, they ſhall afterwards be nominated to the People two or three Sundays, that ſo the conſent of the People may alſo intervene; and if there be no oppoſition the third Sunday, *they ſhall be publickly admitted by ſolemn Prayers, they ſtanding before the Pulpit, and ſo ſhall be ſetled in their Office, ſubſcribing the Confeſſion of Faith, and the Eccleſiaſtical Diſcipline; but if there be oppoſition, the Matter ſhall be decided in Conſiſtory; and if it cannot be there determin'd, the whole ſhall be tranſmitted to a Colloque, or Provincial Synod.*

CONFORMITY.

Having treated of Miniſters, and the Schools where they ought to ſtudy to attain to the Office of the Holy Miniſtry,

Miniſtry, it follows in order, to ſpeak of thoſe which partake with them of the care in Governing the Flock; That is, of Deacons, and Elders, which amongſt us are Secular perſons, ſerving in the Church, and diſtinguiſhed from Miniſters; or to ſpeak with the Fathers, from the Clergy; it is then of theſe two ſorts of Perſons, and of their Election, that I am to treat, in examining this Article, according to the deſign and intention of the Compilers of our Diſcipline.

I'll begin with the Deacons, which as every body knows, are of Apoſtolical inſtitution; In effect, we find in the 6th *Chapter* of the *Acts*, That the Apoſtles giving themſelves up wholly to the Preaching of the Goſpel, they deſir'd the Church of *Jeruſalem* to chuſe out certain perſons of good repute for Wiſdom and Piety, that they might commit unto them the care of the Poor, which they expreſs, *by ſerving of Tables*, that by this means they might the more conveniently attend to Prayer, and Preaching of the Word. St. *Chryſoſtom* obſerves on this place, that this was the firſt eſtabliſhing of Deacons, the very name not being till then known, that is, in the Chriſtian Church; as for the Jewiſh Church, they had their Deacons, as *Epiphanius* writes in the Hereſie of the *Ebeonites*, which is the 30th, they were called *Azanites*; and thence probably 'twas that the Apoſtles took the Original of Chriſtian Deacons; and they called them ſo, becauſe they ſerved at Tables, and at the diſtributing of Money to the Poor; It was to that time, thoſe which followed St. *Chryſoſtom*, and wrote of the firſt inſtitution of Deacons, writing on the Acts of the Apoſtles, as *Beda* and *Orcumenius*, have refer'd it.

As for Lay-Elders, ſuch as ours be, I do not find their inſtitution in Scripture, as that of the Deacons

Deacons is found; as for the Elders of the Chriſtian Churches, whereof there is mention made in ſeveral places in the *New-Teſtament*, I am fully perſuaded that by them is to be underſtood Paſtors themſelves, which were called indifferently Elders, or Prieſts, and Biſhops; I do not except that famous paſſage, *chap.* 5. *verſ.* 17. of the 1ſt Ep. to *Timothy*.

It is certain that theſe Elders were all of the ſame Order, that is to ſay, They were all Paſtors; but becauſe there were ſeveral in the ſame Church, and that ſome were fitter for Preaching the Word than others, they gave them different employments, according to the diverſity of Gifts; in my judgment there needs no other proof of this Truth, than the right of Precedency which St. *Paul* attributes indifferently to all, which he would not have done, had they not been all of one Order; the *Greek* word alſo, which he uſes, ordinarily imports a precedency which is due only to Paſtors, which the Ancients frequently deſign by this name, particularly *Juſtin Martyr*.

But notwithſtanding this, I make no queſtion, but the Original of our Elders is very Ancient, and that it approaches very near to the Apoſtles days, if they be not rather themſelves the Founders of them; and what confirms me in this Opinion is, that they eſtabliſh'd in the Church a Government like that of the Synagogue, a Chriſtian *Presbytery*, inſtead of a *Jewiſh* one; and as there were Elders amongſt the *Jews*, which had ſhare in Governing the Synagogue, it is very probable that there were alſo Elders amongſt the Chriſtians, People which had part in that of the Church, if not at the very firſt birth of Chriſtianity, at leaſt there was as ſoon as the number of them was increaſed in ſo great a manner; for then it was there was need of eſtabliſhing this ſort of

of Government I have ſpoke of, and of which the Holy Pen-men have not mentioned the time of its ſettlement; becauſe it may be they had no particular occaſion of doing it, as St. *Luke* had of writing the Hiſtory of the Inſtitution of Deacons, which probably might alſo have been unknown to us, if the murmuring of the *Greeks* againſt the *Jews*, becauſe their Widows were neglected at the ordinary Service, had not oblig'd him to tranſmit it in writing.

However it be, That it may not be imagin'd I only inſiſt on meer conjectures, and conjectures utterly deſtitute of the Authority of Tradition, I'll produce the formal Teſtimony of *Hillary*, Deacon of *Rome*, a Writer of the 4th Century, who ſpeaks in this manner. *The Synogogue, and the Church afterwards, had Elders, without whoſe advice nothing was done in the Church; and I can't tell by what negligence the ſame has been aboliſh'd, if it be not probably by the ſlothfulneſs of Doctors, or rather through their Pride, to make it be believ'd they are ſome-bodies:* It appears plainly by theſe words of the Deacon *Hillary*, That the Church had her Elders, as well as the Synogogue, and that very early ſhe began to make uſe of them, when he began to write his Commentaries on St. *Paul*'s Epiſtles; for he complains of the aboliſhing this holy Cuſtom, which in all likelihood held a conſiderable time after its firſt inſtitution, and in the very place it ſelf where it was extinct by the negligence and malice of vain and ambitious Men; which doth juſtify, as I take it, what I have ſaid of its Antiquity, that is to ſay, That the firſt eſtabliſhing of it was by the Apoſtles, or at leaſt by their immediate Succeſſors, if it were ſo that we could not find the Footſteps in the Monuments of Eccleſiaſtical Writers, that immediately followed the Age of the Apoſtles.

In 1 *Tim.* 5. 1, 2. apud *Ambroſe* Tom. 3. p. 582.

Nevertheleſs, who knows but *Claudius*, *Ephebius*, *Valerius*, *Biton*, and *Fortunatus*, which St. *Clement*, Diſciple of the Apoſtles, ſent to the Church of *Corinth*, with the Excellent Letter which he wrote to appeaſe the troubles wherewith it was agitated; who, I ſay, can tell but they were of thoſe Elders whoſe original Inſtitution we ſeek for? for he ſays nothing at all which may induce us to think they were either Paſtors, or Deacons. Moreover, in the third Century, *Firmillian* Biſhop of *Cæſaria* in *Cappadocia*, and one of the moſt celebrated Prelates of his time, makes mention of Elders, which he joyns with Paſtors, for the treating of affairs which concerned the good and edification of the Churches, *We meet together*, ſaith he, *every year, Elders and Miniſters, to ſettle and order matters committed to our care, and with common conſent to treat of the weightieſt and moſt important affairs.* About fifty years after, *Menſurius* Biſhop of *Carthage*, having received orders to follow the Emperor's Court, he committed to the truſt of certain Elders, ſaith *Optatus* of *Milvetan*, ſeveral Ornaments of Gold and Silver, which appertained to the Church: But afterwards he made a Note of them, which he gave to an old Woman, with orders to give it to his Succeſſor, if it hapned that he died in his Journey, as it fell out he did; ſo that *Cecilian* having been Eſtabliſhed in the place of *Menſurius*, the Woman failed not to give him the Note ſhe had, by vertue of which he called for thoſe Elders to whom *Menſurius* had committed this truſt, in the belief he had that they were good honeſt men; but theſe perfidious perſons, willing to ſatisfie their own covetous deſires, converted the Gold and Silver to their own private uſes, *Cecillian* was fruſtrated of his expectation; and as he was going about to compel them, they rent from the Com-

Seniores & Præpoſiti. Apud Cypri. pag. 144.

Optat. l. 1. p. 41. *Par.* 1631.

Communion of the Church a good part of the People, and began the Schiſm of the *Donatiſts*, which prov'd ſo deſtructive to the Churches of *Africa*. And what invincibly proves they were Lay-Elders like ours, is, that *Optatus* expreſly diſtinguiſhes them from *Botrus*, and *Celeſius*, which were of the Clergy of the Church of *Carthage*, and who not attaining to the Degree of Biſhops, to which their ambition made them aſpire, they herded with theſe corrupt Elders, together with *Lucilla*, a factious and powerful Woman, who of a long time endeavoured the ruin of *Cecilian*.

See here already ſufficient Arguments of the truth of the matter we examine; nevertheleſs becauſe many do imagin that our practiſe in regard of Elders, is new and unknown to the ancient Church, it will not be amiſs to inſiſt a little longer on this ſubject, and to alledg farther proofs, the better to eſtabliſh the Antiquity of the practiſe which we defend. I'le begin with the Acts of Juſtification of *Cecilian*, and of *Fœlix* of *Aptonge*, his Ordainer, which are at the end of *Monſieur de Laubeſpine* Biſhop, of *Orleans*, his Notes on *Optatus* Biſhop of *Mileva* in *Numidia*. In theſe Acts, which are ancienter than the Council of *Nice*, there are ſeveral things which directly regard our Subject, as what is ſaid on occaſion of Money given by *Lucilla* a Woman of Quality, to have made *Majorinus* Biſhop, *That all the Biſhops, the Prieſts, the Deacons, and the Elders, had knowledg of it.* And ſome lines after, a Biſhop called *Purpurius*, writes to *Silvanus* Biſhop of *Cirthe*, who was accuſed of ſeveral things, *To employ thoſe of his Clergy, and the Elders of the People, which are Eccleſiaſtical perſons*, to the end they might give an account of the nature of theſe diſſentions; and in the following page there is mention made of a Letter writ to Pag. 168.

the Clergy, and to the Elders; and ſix pages after, one *Maximus* ſaith, *I ſpeak in the name of the Elders, and Chriſtian People of the Catholick Law.*

Pag. 276. Inſt.

St. *Auſtin* in his third Book againſt *Creſconius*, ſpeaks of a ſtranger Prieſt, and the Elders of the Church of the Country of *Muſtitan.* The Title of his 137*th.* Letter is conceiv'd in theſe terms: *To my beloved Brethren, the Clergy, the Elders, and all the People of the Church of* Bonne, *or* Hippone, *whom I ſerve in the Love of Jeſus Chriſt.* There is in this ſame Father's Sermons on the *Pſalms*, a Synodal Letter of the *Cabarſuſſitan* Council, which ſpeaking of *Primian* the *Donatiſt*, ſaith, He was given to be Biſhop to the People of *Carthage, according to the requeſt made of the Elders of the Church by Letters.* And in the next Page, there is again mention made of Letters, and Deputies *of the Elders of the Church.* In the Nineteenth Sermon on the words of our Lord, which is the third in the Appendix of the 10*th. Tome*, he makes appear wherein conſiſted one part of the Duty of their Employments. The 100*th.* Canon of the *African* Code, attributed to the Council of *Carthage* in the year 407, ſpeaks three ſeveral times of the Elders at *Nova Germania*; and becauſe there had been ſome difference betwixt this Church and *Maurentius* its Biſhop, and that nevertheleſs the Elders deputed in this affair to the *Synod*, appeared not, the Council aſſigned to *Maurentius*, the Judges he deſired, and left to the choice of the Elders, tho abſent, the nomination of thoſe that ſhould be needful to compleat the number; and what is very remarkable in this conjuncture is, that theſe Elders defended the right of the People, which were the Biſhops oppoſite party, who complained of their outrage and calumnies.

Tom. 7. Pag. 191. c. 56. Tom. 2. p. 250.

Tom 8. in Pſal. 36. Conc. 2. p. 119. Extr.

What

What I have hitherto writ, does clearly ſhew, that when the Deacon *Hillary* complained that the uſe of Elders was aboliſhed, he had a regard to *Italy*, where it had indeed hapned in ſundry places, though the ſame practiſe continued elſewhere, as I have juſtified by many Examples after the time in which this *Roman* Deacon wrote. I now proceed on farther, and do ſay, this cuſtom was not extinct in *France* and *Sicily* at the end of the Sixth Century; I ſay firſt of all in *Sicily*; for Pope *Gregory* the Firſt writ to *John* Biſhop of *Palermo*, and recommends two things to him, one was, *To eſtabliſh a Receiver by conſent of the Elders and Clergy, to give an account yearly, to take away all ſuſpition of fraud*: The other was, not to give eaſie credit to reports that might be made to him of his Clergy, *but carefully to examine the truth in preſence of the Elders of his Church.* I ſay in the ſecond place, this ſame practice was obſerved in *France*. In effect, *Gregory* of *Tours* has tranſmitted to us the Letter of an Aſſembly of Biſhops held at *Poictiers* by the King's Command, to take courſe about the diſorders of the Monaſtry of St. *Radegonda*; and in this Letter the Abbeſs confeſſes amongſt other things, that ſhe received Earneſt for the Marriage of her Neece which was an Orphan; that ſhe received it in preſence of the Biſhop, the Clergy, and the Elders. And in the year 585. King *Goutran* makes expreſs mention of *the Elders of the Church*, which he diſtinguiſhes from the Clergy, in the Edict which he addreſſes to the Biſhops and Judges of his Kingdom. *Tom.* 1. *Conc. Gall. p.* 391. I can't ſay but *Agobard* Biſhop of *Lions* in the ninth Century might deſign theſe ſame Elders, when complaining of Perſons of Quality that abuſed Prieſts they had in their Houſes: He ſaith, That by reaſon of theſe Domeſtick Chaplains, *They forſook*

Tom. 2. lib. 11. Ind. 6 Ep. 49. p. 1083.

Hib. l. 10. c. 16.

Lib. de Jure Sacerd. pag. 135. Tom. 2.

forſook the Churches, the Elders, and the publick ſervice.

Now it follows, I muſt treat of the form and manner of Electing our Deacons and Elders. The Eſtabliſhment I examin, diſtinguiſhes the places where the Diſcipline is not yet ſetled, from thoſe where it is already received; in the former it requires Election ſhould be made by the Votes of the People and Paſtors: In the other, it appoints, that nomination ſhall be made in the Conſiſtory, and that it ſhall be ſignified to the People, to have either their conſent, or their refuſal; becauſe their Eſtabliſhment depends on the liking and approbation of the People; the nomination made in the Conſiſtory, no way depriving the People of their Right, ſeeing the moſt part of thoſe which do it, that is to ſay, the Elders and Deacons, do repreſent the People, and are inveſted with its power and rights. It is therefore of the People, either mediately, or immediately, that depends the Eſtabliſhing of Elders and Deacons amongſt us. And herein our Diſcipline has Religiouſly followed the practice of the holy Apoſtles, who referred to the liberty of the People, the Election of the Seven Deacons; the Hiſtory whereof is mentioned by St. *Luke* in the *6th. Chap.* of the *Acts*. And 'tis not only in regard of Deacons the Apoſtles proceeded in this manner, they would alſo that the whole Church of *Jeruſalem* ſhould have ſhare in Eſtabliſhing *Matthias*, who by common conſent was added to the Number of the Eleven Apoſtles; and when they Ordained ordinary Paſtors, doubtleſs they did it by the advice of the Aſſemblies of the People, to the conduct of whom they intended to commit them. Which example the ſucceeding Chriſtians imitated very exactly, as we have made appear on *Artic.* 4. of the firſt *Chap.* Our Diſcipline does not therefore preſcribe any thing as to what regards the Election of our

Acts 1.

our Elders and Deacons, but what is very conformable to the practice of the Apoſtles, and to that of the Primitive Chriſtians; in ſhort, if in the firſt Ages of Chriſtianity the People had a good ſhare in the Vocation of Miniſters, of greater reaſon had they in Eſtabliſhing of Elders, which were, if it may be ſo ſaid, the Executors of their Will, and the diſpencers of their Rights. And if our Miniſters by the ninth Article of the firſt Chapter, are obliged to ſign our Confeſſion of Faith, and Eccleſiaſtical Diſcipline, agreeable to what was practiced in the Primitive Church, it cannot be thought ſtrange, that we ſhould alſo oblige our Elders and Deacons to ſign them, becauſe they make up one body with the Miniſters of each Church, and do partake with them of the conduct of the ſame Flocks.

II.

Hence forward, as much as poſſible may be avoided, there ſhall not be elected for Elders and Deacons of the Church, thoſe which have Wives contrary to the true Religion, according to the ſaying of the Apoſtle: Nevertheleſs, that the Church may not be deprived of the labour of ſeveral good perſons, who by reaſon of the ignorance of paſt-time, have Wives of a contrary Religion, they ſhall be diſpenſed withal for the preſent neceſſity, provided they ſhew their readineſs in inſtructing their ſaid Wives, and in deſiring them to joyn themſelves to the Church.

CONFORMITY.

Having eſtabliſhed, as we have done, the firſt Article, this has no difficulty in it; for St. *Paul* requires, *That Deacons ſhould hold the myſtery of the Faith in a* 1 Tim. 3.

pure

pure Conſcience. He alſo requires, *That their Wives be faithful in all things*; and by conſequence, in thoſe of Religion and Piety, which ſhould be the only Religion of Jeſus Chriſt both in Husband and Wife, to avoid the great inconveniences which happen by diverſity of Religions, which *Tertullian* repreſents very well to his Wife in the Second Book he wrote to her.

III.

The Office of Elders is to have care of the Flock, with the Paſtors; to take care the People come to the Aſſemblies, and that every one frequent the holy Congregations; to give notice of miſdemeanors and ſcandals; to take cognizance, and judg of them with the Paſtors; and in general, to have care with them, of all ſuch like things which concern the Order, Support and Government of the Church; ſo that in each Church there ſhall be a form of their office in writing, according to the circumſtance of time and place.

CONFORMITY.

In the Chriſtian Church there has ever been perſons appointed to take care of the conduct of thoſe which were Members of it, and to watch over their Flocks, to the end no ſcandalous actions ſhould be committed therein, nothing that ſhould be unbecoming the profeſſion of the Goſpel. *Origen* at leaſt tells us, that in his time, which was the third Century, it was ſo practiſed; for he declares in his anſwer to *Celſus*, that there was in the Churches, *Perſons eſtabliſhed to take notice of the life and converſation of thoſe which imbraced the Chriſtian Religion; that when they committed any evil actions, to expel them out of the Congregations; and on the*

Lib. 3. pag. 142. of *Cambridge* Edit. 1658

the contrary to receive with great affection all thoſe which lived orderly and well, to the end to improve and make them better from day to day. *Tertullian*, before *Origen*, had ſufficiently intimated this ſame practice, ſpeaking in his Apologetick of Cenſures inflicted on ſinners in Chriſtian Aſſemblies, which baniſhed from their Communion thoſe which were convicted of heinous offences; for example, of Idolatry, Murder, and of Fornication; which proceeding ſhews there was in each Church perſons intruſted to keep watch over the life and manners of the People; and theſe perſons were the ſame which we call Elders, which alſo is the name St. *Auſtin* gives them in the nineteenth Sermon on the words of our Lord, and which at this time is the third in the Appendix of the tenth *Tome*. In this Sermon, which others attribute to *Maximus* Biſhop of *Turin*, and which is the 66*th*. amongſt thoſe of St. *Ambroſe*, there is to be ſeen the Name and the Office of *Elders*, the ſame in effect as they are amongſt us; for the Author, whoever he be, having obſerved that Soldiers, and thoſe in any Office, could not bear to be reprov'd, and to be told of their Duty, he ſpeaks after this manner: *When the Elders reprove them for any miſdemeanor, and that any of them are asked why they are drunk? wherefore they took away other folks goods? wherefore they committed murder. They preſently anſwered, What would you have me do? being one of the World, and a Soldier? Do I profeſs to be a Frier, or a Clergy-man?* Apolog. c. 39.

IV.

The office of Deacons is to collect and diſtribute by direction of the Conſiſtory, the Money belonging to the Poor, to Priſoners, and to ſick folks, to viſit and have care of them.

CONFORMITY.

It appears by *Chap.* 6. of the *Acts of the Apoſtles*, that the Office of Deacons is what our Diſcipline does repreſent, becauſe they were firſt of all appointed to ſerve at Tables; that is to ſay, to take care of the Poor. *Oecumenius* in his Commentaries on this Chapter of the *Acts*, I now mentioned, obſerves expreſly, that they were appointed to diſtribute to Widows and Orphans, with care, the things neceſſary for their ſubſiſtence: According to which, the Enemies of *Cecilian* Biſhop of *Carthage*, laid it to his charge as a great crime, That being Deacon, he hindered people from giving meat to the Martyrs, whereas he ought to have carried them ſome himſelf. Cardinal *Julian*, who preſided at the Council of *Baſle*, remonſtrates to Pope *Eugenius* the Fourth, That there are ſeveral things he ought to do himſelf, and others which he may refer to the care of thoſe which are under him, after the example of the Apoſtles; who to attend the more freely to the Preaching of the Word, inſtituted ſeven Deacons, which ſerved Tables, and the adminiſtration of things of leſs weight.

Faſcicul. rer. Expet. & fug. fol. 32. verſ. Coloniæ 1535.

It is nevertheleſs true, that in the time of *Juſtin Martyr*, it was the Paſtor that diſtributed the Money to the Poor, which was appointed for their Maintenance, which was given by Peoples Charity. But this Diſtribution in all likelihood was made by the Miniſtry of Deacons. *Tertullian* indeed in his Apologetick declares, one had care of the Poor, of Orphans, of Old Folks, of thoſe which had loſt their Goods by Shipwrack, of thoſe which laboured in Mines, who were baniſhed into Iſlands, or detained in Priſons for the Goſpel ſake;

Apolog. 2. pag. 99.

Cap. 39.

but

but he don't mention by whom it was done. The Church of *Rome* in the time of *Cornelius* its Biſhop, that is, about the middle of the third Century, maintained above 1500 poor, as well Widows, as others, who were reduced to poverty, or afflicted with ſickneſs or infirmities. The charity of that of *Antioch* was no leſs conſpicuous than that of the Church of *Rome*, as we find by ſome of St. *Chryſoſtom*'s Homilies on St. *Matthew*, particularly the 67, and 86*th*. It is true, we are not certain that the Deacons were charged with the care of theſe two Churches in the days of *Cornelius*, and of St. *Chryſoſtom*; but we know very well, the Deacons amongſt us attend on the things for which they were eſtabliſhed by the Apoſtles; that is, that they ſhould take care of the Poor and Neceſſitous, according to their Primitive inſtitution. It was on this account that *Fabian* Biſhop of *Rome* divided amongſt ſeven Deacons in the third Century the fourteen Quarters of the City of *Rome*; that is to ſay, to the end they ſhould take care of the Poor which were in each of theſe Quarters, as is to be ſeen in the *Roman* Breviary on the 20*th*. day of *January*; and as *Binnius* obſerves in the Life of *Fabian*, *Tom. Conc. pag.* 114. But what the Deacons did at firſt, was in time performed by the Miniſtry of *Oeconoms* and others, of which the ancient Canons make ſo frequent mention, in ſuch a way; nevertheleſs, that the Biſhop had the chief power in the diſtribution, which however was not done without the knowledg of theſe Deputies, when they had taken the place and office of thoſe firſt Deacons; and that it is ſo, I explain what *Zozomen* ſays of St. *Epiphanius Lib. 7. Chap.* 17. Read what ſhall be ſaid on the ſecond *Art.* of the 4*th. Chap.*

Apud *Euſeb.* Hiſt. lib 6. c. 43. p. 244.

V.

The office of Deacons is not to Preach the Word of God, and adminiſter the Sacraments: Nevertheleſs if neceſſity require, the Conſiſtory may chuſe certain Elders and Deacons to Catechiſe in Families; as alſo it is permitted to Elders in abſence of the Paſtor to read Publick Prayers on working-days, being choſe by the Conſiſtory for that purpoſe; and that they follow the uſual form, in Reading the Canonical Books of the Old and New Teſtament. As for the Deacons who are wont to Catechiſe publickly in ſome Provinces, the inconveniences which have already, or may hereafter enſue, being heard and conſidered, the Churches where this cuſtom is not yet introduced, are deſired to forbear, and the others where it is, to continue; and to order that the ſaid Deacons, if they are found capable, would enter into the Miniſtry of the Goſpel, as ſoon as they can poſſible.

CONFORMITY.

What I have ſaid of the Office of Deacons, doth highly juſtifie the Prohibition here made them of Preaching the Word of God, and adminiſtring the Sacraments, becauſe they were not thereunto appointed; as *Oecumenius* has obſerved on *Chap.* 6. of the *Acts of the Apoſtles*; the words whereof we have alledged, in examining the precedent Article. I know very well, that *Philip*, one of the Seven Deacons eſtabliſhed by the Apoſtles, Preached the Goſpel; but I ſay it was not in quality of a meer Deacon that he Preached, but by vertue of a particular vocation, whereby God made him a Herald of his Grace, and a diſpencer of his Myſteries;

ſteries; therefore he is qualified with the Title of Evangeliſt, in the 21. *Chap. ver.* 8. of the *Acts*; I do not here mention his Preaching Chriſt at *Samaria* after the great Perſecution raiſed againſt the Church of *Jeruſalem* upon the death of St. *Stephen*, becauſe he did nothing therein but what the others which were ſcattered abroad did elſewhere, by vertue of a general vocation which each Believer has right to exerciſe at certain times, and in certain places. As for Baptizing and inſtructing the Queen of *Æthiopia*'s Eunuch, the Sacred Hiſtory informs us, that *Philip* had an expreſs command by the Miniſtry of an Angel to do it. In the Primitive Church a Deacon was not permitted to Preach the Word whilſt they were Deacons, they muſt at the leaſt paſs from the Order of Deacon, to that of Prieſthood, to be qualified to Preach; I ſaid at the leaſt; for if in the Eaſt, Prieſts were ſuffered to Preach, it was otherwiſe in the Weſt, where Biſhops only performed that function for ſeveral Ages. The firſt Prieſt that Preached publickly in *Africa*, was St. *Auſtin*, by the power granted to him by *Valerius* his Biſhop, who was by Birth a *Grecian*, which was found to be irregular, becauſe 'twas contrary to the uſe and practice of the Churches of *Africa*, as is obſerved by *Poſſidonius* in the Life of St. *Auſtin*. If amongſt us there's found a Deacon that was capable, and had a deſire to exerciſe the Miniſtry, he was made to paſs from one degree to another, and then might Preach the Word, and adminiſter the Sacraments; whereas Deacons were not inſtituted at firſt to do the one nor the other.

Act. 21. 8.

Ibid.

In effect, if their firſt Inſtitution permitted them not to Preach, neither did it ſuffer them to adminiſter the Sacraments, for theſe two commonly go together; ſo that if prohibiting them Preaching, they were afterwards

wards in proceſs of time ſuffered to adminiſter the Sacraments; beſides that things which were joyned together were ſeparated, they paſſed beyond the bounds of their Vocation. Thence it is that *Oecumenius*, a Writer of the tenth or eleventh Century, which I already have
Ubi ſupra. cited ſeveral times, confeſſes that the Deacons of his time were quite different from thoſe eſtabliſhed by the Apoſtles, and an Order quite another thing than the firſt.
Apolog. 2. In the days of *Juſtin Martyr*, that is to ſay, in the ſecond Century, the Deacons diſtributed the Bread and Wine of the Sacrament after being Conſecrated by the Paſtor; which in all likelihood proceeded from a falſe Interpretation given of theſe Tables, for the ſervice of which, Deacons were appointed; for they were not Euchariſtical Tables, but common Tables, where diſtribution was made of things neceſſary for the Maintenance of Widows, and Orphans, and other poor People, and where perhaps Chriſtians made their Feaſts of Charity, which for a time was practiſed in the Church. *Tertullian*,
De Coron. c 3 p. 102. ſomething later than *Juſtin Martyr*, teſtifies, the Euchariſt was received only from the hand of thoſe which preſided, that is, of Biſhops and Paſtors; in all likelihood 'twas at that time the practice of the Churches of *Africa*, and a cuſtom which was not obſerved in all places. The third Canon of the Council of *Ancyra*, in the year 314, ſuffers Deacons which have done nothing unworthy their degree, to diſtribute both the Symbols. But in the ſame year, the Council of *Arles* prohibits them in the
Tom. 1. Conc. *Gall.* 15*th*. Canon by that term to offer, which he emplies, is
Ibid. taken to adminiſter, according to the Explication which is given it by the 15*th*. Canon of the ſecond Council of *Nice* on the ſame place. The year 462, the great Council of *Nice* forbids them ſimply to give the Euchariſt to
Can. 18. Prieſts. The 25*th*. Canon of that of *Laodicea* ſeems to forbid

forbid them abſolutely to diſtribute the Bread and the Cup; *It ought not to be, that Miniſters,* ſaith the Council, *ſhould diſtribute the Bread, nor that they ſhould bleſs the Cup.* At that time the term of Miniſters implied commonly the name of Deacons; but in the Canons of this Council it denotes a more inferior Order, *viz.* Subdeacons. In concluſion, it muſt be granted, that we have innovated nothing in the Deaconſhip; and that our Deacons have always kept within the juſt bounds of their firſt Inſtitution, which was to ſerve at Tables, and to take care of Widows, as St. *Jerome* obſerves in his 85 Epiſtle.

VI.

The Elders and Deacons may be preſent at the Lectures and Propoſitions of the Word of God made by Miniſters, beſides the ordinary Preaching: Or by thoſe made by young Students, and even at the cenſures made there, and give their advice thereon; but the deciſion of the Doctrine is principally reſerved to Miniſters and Doctors in Divinity, duly called to their Offices.

CONFORMITY.

Beſides the uſual Sermons Miniſters Preach in the Churches, they were wont to Preach by turns in the Colloques they held ſeveral times a year, and thoſe Exerciſes were called *Propoſitions*, much like to thoſe our young Studens in Divinity are wont to make to fit them for Preaching; therefore theſe kinds of Exerciſes are ſubject to the Cenſures of thoſe before whom they are made; for they were inſtituted to judge of the Progreſs which Miniſters, as well as Students, did make in their Studies; and becauſe there are Deacons as well as Elders

that

that ſometimes are preſent, either in the Colloques, in the quality of Deputies, or in the Conſiſtory, whereof they are Members, they are permitted to ſpeak their opinion, which ought not to be thought ſtrange after all which has hitherto been ſaid by the Ancients, ſeeing alſo the deciſion of Doctrines is reſerved to the Miniſters.

VII.

The Office of Elders and Deacons, as it is at preſent uſed amongſt us, is not perpetual; nevertheleſs inaſmuch as 'tis prejudicial to change, they ſhall be exhorted to continue in their office as long as may be; and if they will be diſcharged, it cannot be without conſent of their Churches.

CONFORMITY.

The ſetling of Elders and Deacons, depending of the will of the Church, in which originally lyes all the Right and Power of Government, and the Church not having thought convenient to make theſe Employments perpetual, fearing it might not find perſons that would accept them for life, ſhe hath yielded to thoſe which accept of them, the liberty to be diſcharged, provided they do it in due form, and with the leave of the Churches which called them to this Employment.

VIII.

Neither Deacons nor Elders can expect Superiority or Dominion one over another, whether it be in being nominated to the People, or in taking place, or giving their judgement, or any thing elſe relating to their office.

CON-

CONFORMITY.

If Miniſters cannot pretend precedency one of another, as we have fully ſhewed on *Art.* 16. of *Chap.* 1. It would not be reaſonable that Elders and Deacons ſhould pretend any Soveraignty over their Companions and Equals.

IX.

The Elders and Deacons ſhall be depoſed for the ſame cauſes as the Miniſters of the Word of God, in their degree. It being condemned by the Conſiſtory, if they appeal, they ſhall remain ſuſpended from their Offices, until things are determined by a Provincial Colloque, or Synod.

CONFORMITY.

The Deacons and Elders making up with the Miniſters one Body, that is to ſay, one Conſiſtory, and ſharing with them the care of conducting the Flocks, it is juſt they ſhould be puniſhed with the ſame pains as the Miniſters, when they commit the ſame Offences, whereof we have treated at large on Articles the 47. and 49. of *Chap.* 1. to which I refer the Reader.

X.

The reſtitution of Deacons and Elders which have been depoſed, ſhall not be done but in the ſame manner as the reſtoring of depoſed Miniſters is done.

CONFORMITY.

This Article is a neceſſary conſequence of the former; for if the Elders and Deacons are depoſed for the ſame reaſons as Miniſters, it is evident that the reſtitution ought to be made in the ſame manner. Read what has been ſaid on the 35. *Art.* of *Chap.* 1.

CHAP. IV.

Of the Deaconry, that is to ſay, of Adminiſtring the Poor's Money, by the Deacons.

ARTICLE I.

THE Money for the Poor ſhall not be given out by any but by the Deacons, by the Advice and Order of the Conſiſtory.

CONFORMITY.

What I have ſaid on the 4th Article of the 3d Chapter, ſufficeth for the explaining of this, and to eſtabliſh the Conformity of our Diſcipline with that of the Ancient Churches; to which may be added the Order given by Pope *Gregory* I. to *Anthemius* his Sub-Deacon, That he ſhould take care of the Poor of thoſe places whither he ſent him.

II.

In the common Diſtributions, 'tis requiſite one or two Miniſters ſhould be preſent, if it may be conveniently, but eſpecially at paſſing the Accounts.

CONFORMITY.

Although I might refer the Reader for the Explication of this Article, where I did for the former; nevertheleſs

vertheleſs I will add to what I have ſaid, ſome Rules which are not incoherent to the Subject we Examine; for Example, the 7th and 8th Canons of the Council of *Gangres*, aſſembled in the Year of our Lord 325. as is commonly ſaid, but 'twas later; where 'tis forbid to diſpoſe of the Church-Revenue without the conſent of the Biſhop, or of him he has appointed to diſtribute theſe Alms. The 24th and 25th Canons of the Synod of *Antioch*, *Anno Dom.* 341. Orders the Biſhop to make this diſtribution by advice of the Prieſts and Deacons. *Charlemain*'s Capitulary, in the year 789. renews the prohibition of the Council of *Gangres*.

Tom. 2. Conc. *Gall.* c. 47. p. 146.

III.

The People ſhall have notice of Paſſing the Accounts, that ſo every one that pleaſe, may be there preſent, as well to diſcharge thoſe who diſburſe the Money, as to make known to every body the Neceſſities of the Church, and the Poor, thereby the more to incourage people to contribute towards their relief.

CONFORMITY.

St. *Auſtin* practis'd ſomething of this kind, as our Diſcipline doth here preſcribe; for when the Church-ſtock fail'd, he gave notice to the Chriſtian People, that he had not wherewithal to ſupply the wants of the Poor; which in all likelihood he would not have done, if on the other hand he had not given them an account how he had diſpos'd of their Charity, and of the Money committed to his truſt, and which he conſign'd over to the management of Perſons, as he deem'd fit for the purpoſe, as is related at large by *Poſſidonius*, in the 24th Chapter of his Life.

Aug. Tom. 1. p. 13.

IV.

To prevent the Inconveniences which dayly happen by Atteſtations given to the Poor, every Church ſhall uſe their utmoſt endeavour to maintain their own Poor; and in caſe any one for his neceſſary Affairs was forc'd to Travel, Miniſters ſhall in their Conſiſtories Examine if the Cauſe be juſt, and in that caſe ſhall give them recommendatory Letters to the next Church in the direct way from the place whither they go; expreſſing the Name, Age, Stature, Complexion, the Place whither they go, the cauſe of their Journey, and the Aſſiſtance which has been given them; and the date of the Day and Year ſhall not be omitted: Which Letters the Churches ſhall keep to whom they were directed, and ſhall give them others to the next Church. And all Atteſtations before granted, ſhall be Void and Null.

CONFORMITY.

It cannot be denied, but great abuſes are committed, and that at all times there has been abuſes committed in the Church, upon account of Atteſtations and Teſtimonies granted to thoſe of the ſame Communion which deſire to go from one place to another, to the end they might be known to be Members of the ſame Church, and to be aſſiſted in caſe of neceſſity. The Primitive Chriſtians endeavour'd to remedy theſe inconveniencies two ways; The firſt, By ordering that each Church ſhould maintain their own Poor. The ſecond, In uſing a great deal of caution in granting theſe Atteſtations, which is exactly the two things preſcrib'd by our Diſcipline.

As to the former of theſe two Means, the 4th Council of *Carthage*, in the Year 398. declares, *That the Poor and Ancient people of the Church ought to be more aſſiſted than any others; and that young Widows, who are weak of Body, ſhould be maintain'd at the charge of the Church to which they belong.* In the 2d Council of *Tours*, aſſembled *An. Dom.* 567. the 5th Canon's Title is, That each City ſhall maintain its Poor, and runs in theſe terms, *That each City doth furniſh according to its ability Proviſions ſufficient to all thoſe of its Inhabitants which are poor and incommoded; and that as well the Curates of Villages, as all the Farmers which dwell there, do each nouriſh their own Poor, to the end they may not ſtray and wander about to other Towns.* In the 3d Council of the ſame place, aſſembled in the Year 813. there are ſeveral directions in this matter; for the Fathers command in the 11. 16. 36. Canons, *That Biſhops ſhall be permitted to take out of the Church ſtores, according to the Canonical Rules, in preſence of the Prieſts and Deacons, what ſhall be neceſſary to maintain the Family and Poor of the Church; That the Tythes which ſhall be given to particular Churches, ſhall be diſtributed with great care by the Prieſts, according to the Biſhops Order, for the uſe of the Church and the Poor. That it be made known to all the World, that every body ſhould endeavour at all times to maintain their Family and the Poor; becauſe 'tis a wicked and impious thing in the ſight of God, that thoſe which enjoy great Riches, and that abound with all manner of Wealth, ſhould not help and aſſiſt thoſe which are in want and miſery.* It is to what alſo amounts the 14th Canon of the 6th Council of *Arles* in the ſame year, *That each have care of their Poor in time of Famine, or any other neceſſity, becauſe 'tis written, Bleſſed are the merciful, for they ſhall obtain mercy.* The Emperor *Charlemain* commanded the ſame thing, in the firſt Book

Can. 85, & 101. Tom. 1. Concil. p. 730.

Tom. 1. Conc. Gall. p. 332.

Tom. 2. Conc. Gal. pag. 297, 298, 302.

Ib. p. 1732.

Pag 324. c. 11. Book of his Capitularies, Chap. 124, 128, 132. and in another Capitulary he made after certain Synods he aſſembled in the year 813. and which is in *Sirmond*'s 2d *Tome* of *French* Councils. And I make no doubt, but this holy Diſcipline was Religiouſly practis'd in the firſt Ages of Chriſtianity, when people were full of Charity, when there was no need of compelling them to the exerciſe of it, by Authority of Canons and Humane Laws.

I proceed to the 2d Means which I propos'd, and which regards the Atteſtations and Certificates which ſhould not be granted but with much caution and circumſpection, to the end thoſe to whom they are given, ſhould not abuſe them in the places whither they go, or by the which they paſs; theſe kinds of Certificates were very frequent in the Primitive Church, where they were called *Letters*, to which was given ſeveral denominations, according to the ſeveral Cauſes under which they were conſider'd; in regard of thoſe which wrote them, they were call'd *Eccleſiaſticks*; in regard of the relation which was betwixt thoſe which wrote them, and which receiv'd them, they had the name of *Communicatory, or Pacifick*; moreover, they were called *Canonical*, by reaſon of the Order which rendered them neceſſary and *peculiar Letters*, becauſe they were writ in certain Terms, and with diſtinct Marks as they bore, if it may be ſo ſaid, as had the very tokens of Chriſtian Charity.

But beſides all theſe reſpects, there was that of the perſons in whoſe favour theſe Letters were written, and then they were term'd in general, *Letters of Recommendation*, of which St. *Paul* makes mention in the 3d *Chap.* of the 2d Epiſtle to the *Corinthians*: Nevertheleſs, this general Term has not hinder'd that in this laſt regard three ſorts has not ſometimes been made; in the firſt place,

place, there were *Litteræ Dimiſſoriæ*, Letters of Licenſe, by virtue of which, Eccleſiaſticks of one Church, were admitted to do the Functions of their Calling in another, and could even be receiv'd into their Clergy, and be Members of it, provided they were abſolutely *Dimiſſoriæ*, as appears by the 17th Canon of the 6th Oecumenical Council. Secondly, *Litteræ Commendatiæ*, Letters of Recommendation, which were given to ſtrange and unknown Clerks, or to Lay-men which were ſeparated from the Communion, to the end, to recommend them as Believers, and as being out of the Cenſures of the Church. The 13th Canon of the Council of *Chalcedon* ſpeaks of the former, Where it forbids *to ſuffer ſtrange and unknown Clerks to ſay Service in another Church, without having Letters of Recommendation from their Biſhops.* And *Zonaras*, a famous *Greek* Canoniſt, makes mention of the latter, on the 11th Canon of the ſame Council, and on the 12th and 13th Canons of thoſe attributed to the Apoſtles. The Frier *Blaſtares* makes almoſt the ſame remark in his Alphabetical Collection of Canons. To conclude, The Council of *Chalcedon* requires, that *Letters Pacifick* only, ſhould be given to the Poor. See here the manner it explains it ſelf in the 11th Canon; *We appoint that all the Poor, and thoſe which have need of aſſiſtance, have in their Journeys, along with them, Eccleſiaſtical Letters only Pacifick, and not Letters of Recommendation; becauſe Letters of Recommendation ſhould not be given but to thoſe which are ſome way ſuſpected:* Yet I obſerve this diſtinction han't always been kept, and that the Council of *Antioch*, in the 7th Canon, forbids to receive a Stranger without having the Pacifick Letters, which that of *Chalcedon* accords to the Poor and Indigent. *Gregory* of *Nazianzen* expreſſes himſelf thereupon in a manner which ſufficiently ſhews they were Letters of Recommendation,

Tom. 5. Concil. p. 327.

Cap. 9. Litt. A. p. 94.

tion, as the Interpreter has tranſlated it. In ſhort, in his 3d Oration, which is the 1ſt againſt *Julian* the Apoſtate, he ſaith, That amongſt many things which that Cowardly Fugitive from the Truth endeavour'd to introduce the uſe and practiſe of amongſt the *Gentiles*, in imitation of Chriſtians, he deſir'd above all things, *To eſtabliſh the uſe of thoſe Letters of Recommendation, by the which*, ſaith this Ancient Doctor, *we ſend from one Country to another, thoſe which are poor and in neceſſity*: *Zozomen* in his Eccleſiaſtical Hiſtory, writes the ſame thing of this Emperor, and ſaith, That by virtue of theſe Letters by which Chriſtians recommended the Strangers of their Communion, they were lodged, and care was taken of them where-ever they went, and in what Country ſo-ever they came, as much as if they had been Friends, and a long while known and acquainted; and that all this was done on account of the Character the Letters gave of them, and which were as 'twere the Mark and Symbol of their Profeſſion; and as I conceive, 'tis what *Tertullian* calls the *Conteſſeration of Hoſpitality*; that is to ſay, the mark and ſign, at the ſight whereof, the right of hoſpitality was us'd towards thoſe which ſhew'd it; and 'tis probable *Lucian* had a regard to this Cuſtom, when ſpeaking of a Stranger, he ſaith, that in Travelling, he found plentiful aſſiſtance amongſt the Chriſtians, whereby he was abundantly ſupplied with all things.

Tom. 1. p. 102.

Dial. de Pereg.

There is yet ſomething farther to be conſidered in this matter, to wit, That Chriſtians were ſo circumſpect in granting theſe Letters of Recommendation, that they examin'd thoſe which had them, and oblig'd them to give an account of their Faith, to avoid all fraud and ſurpriſe. The 58th Canon of the Council of *Eliberi*, or *Eluira* in *Spain*, in the year 305. orders it ſo; the 33d

Ubi ſupra.

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of the Apoſtles is no leſs expreſs, without inſiſting on the Interpretations of *Balſamon*, *Zonoras*, and *Ariſtenus*, *Greek* Canoniſts, which have underſtood it in this ſenſe. I can't tell but *Lucian* does again allude to this practiſe of Chriſtians, when he ſaid, That they receive certain *Dogma's* which he mentions, without exactly ſearching the Truth; but I know very well, that we, on this occaſion, do the ſame as the Primitive Chriſtians did, not only through Cuſtom, but alſo by Order of our National Synods. That of *Charanton*, the Eſtabliſhment whereof is cited in the Article we Examine, That of *Charanton*, I ſay, in the year 1623. enjoins; *Exactly to Examine, as well the Atteſtations, as thoſe which have them, to have from their own mouth, teſtimony of their Religion, and Inſtruction.*

As for the Order our Diſcipline preſcribes, to give and renew from Church to Church the Recommendatory Letters, it is the ſame in ſubſtance of that eſtabliſh'd by the Synod of *Sardis*, *An. Dom.* 347. in the 8, 9, 10, and 11. Canons, and particularly in the laſt, where it appoints Biſhops, which are on the way, to Examine theſe Letters of Recommendation, and to ask of thoſe which have them, the Cauſe and Reaſon of their Travelling; or to ſubſcribe their Letters if they are juſt, and to refuſe them Communion, if they have fraudulently got them.

CHAP. V.

Of CONSISTORIES.

ARTICLE I.

IN each Church there ſhall be a Conſiſtory, compos'd of perſons which ſhall have the conduct of it, to wit, of Paſtors and Elders; and the Miniſters in this company are to preſide, as alſo in all other Eccleſiaſtical Aſſemblies.

CONFORMITY.

From the very firſt Eſtabliſhing of Chriſtian Churches, there was in each of them a certain number of Perſons to whom the Government of it was committed, and who were diſtinguiſh'd from the reſt of the People by the Offices which they Exercis'd, and by the choice which had been made of them for ſuperviſing the whole Flock, and 'tis what we call Conſiſtory; *Origen* calls it the Eccleſiaſtical Senate, and makes it parallel with the Politick Senate of each City, to ſhew that the Eccleſiaſtical Senate very much ſurpaſſes the other, being compos'd of Perſons of more virtue and knowledg, than thoſe which are Members of Politick Senates in Cities. The Eccleſiaſtical Senate, or Conſiſtory, is compos'd amongſt us of Miniſters and Elders, and it ought not to be thought ſtrange that we joyn Elders with the Miniſters, after all we have ſaid on the 3d Chapter, particularly on the 1ſt Article, where we have at large prov'd, that the Elders have had ſhare for ſeveral Centuries in the Government of the Churches, and that they in all likelihood would have

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ſtill continued, if the ambition of Biſhops and their Clergy had not inſenſibly aboliſh'd this laudable practiſe. The Deacon *Hillary*, as has been ſhewn, complained of it in his time. But altho' the Elders partake with the Miniſters in Governing the Flocks, yet the right of precedency appertains to the Miniſters; therefore in theſe teſtimonies we have alledged to prove that the Church has had great advantage, in the firſt Ages, of Lay-Elders, like ours, they are for the moſt part named after the Clergy.

II.

As for Deacons, ſeeing the Churches, for the neceſſity of the times, hath to this day happily employed them in Governing the Church, as Exerciſing alſo the Office of Elders; thoſe which hereafter ſhall chuſe ſuch, or continue them, they ſhall with the Paſtors and Elders, bear a part in the Governing the Church; and therefore ſhall frequently be with them in the Conſiſtory, yea, even at the Colloques, and Synods, if they are thither ſent by the Conſiſtories.

CONFORMITY.

The care of the Poor, making one of the moſt conſiderable parts of the Church-Government, it is with great reaſon we therein admit the Deacons, becauſe they were properly inſtituted to attend on this thing, as has been above proved at large.

III.

In places where the Exerciſe of Religion is not ſetled, Chriſtians ſhall be exhorted by the Colloques, to have Elders

and Deacons, and to follow the Eccleſiaſtical Diſcipline; and at the ſaid Colloques, they ſhall be inform'd to what Church to joyn themſelves for their convenience and exerciſe of their Miniſtry; from whence alſo they may not depart without communicating it alſo to the ſaid Colloques.

CONFORMITY.

In the places where there is no publick exerciſe of our Religion, although there are a conſiderable number of Families which profeſs it, care muſt be taken they do not live without Diſcipline; and to this purpoſe there muſt be Eſtabliſh'd amongſt them Deacons and Elders, to take care of the Poor, and to watch over the Life and Converſation of private perſons, whereof they ſhall give account at the Church-Conſiſtory to the which they ſhall be joyn'd for the publick Exerciſes of Piety, and the Service of God; and there's no queſtion to be made, but ſomething of this Nature was done in the Primitive Church; for inſtance, in the days of St. *Juſtin Martyr*, that they Aſſembled from the Country and Cities unto one place; which ſheweth plainly theſe Aſſemblies were not made every where, although according to all appearance, there was in all places one and the ſame Order for the conduct of Chriſtians, to the end they ſhould do nothing unworthy the holineſs of their Profeſſion.

Apolog. p. 98.

IV.

There ſhall be but one Conſiſtory in each Church, and it ſhall not be permitted to Eſtabliſh other Council for any Church-buſineſs whatever. If in any Church there ſhall any other Council be eſtabliſhed different from the Conſiſtory, it ſhall forthwith be ſuppreſs'd. Nevertheleſs the Conſiſtory

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can ſometimes call to its aid, ſuch of the Church as ſhall be thought convenient, when occaſion requires, and that Eccleſiaſtical matters be treated of only in the place where the Conſiſtory doth Aſſemble.

CONFORMITY.

There was not anciently in each Chriſtian Church any more than one Eccleſiaſtical Senate, as we have heard by *Origen*, and this Senate was not properly any thing elſe, but what we call Conſiſtory; which is a company of Perſons which the Church does inveſt with her Rights and Power to Govern the Flock.

V.

It is in the Power of the Conſiſtory to admit of Father and Son, or of two Brothers in the ſame Conſiſtory, unleſs there was ſome other reaſon to the contrary, of which the Colloque, or Provincial Synod ſhall take cognizance.

CONFORMITY.

The Church being the Spouſe of Jeſus Chriſt, and by conſequence, the Miſtreſs of all the Power, and of all the Eccleſiaſtical Authority which reſides in Her as in its Fountain; and in the Conſiſtories, as in Societies, which ſhe eſtabliſhes for the uſe and exerciſe of this Power; She may then have authoris'd the Eccleſiaſtical Senate and the Conſiſtory, to admit into its Body the Father and Son, or two Brothers, provided they are agreeable to the Church, which has in general given this Power to the Conſiſtory.

VI.

VI.

It is alſo refer'd to the diſcretion of Conſiſtories, to call unto them young Students, although they have no Office in the Church, but not without weighty cauſes and conſiderations; and when their Wiſdom is known, the ſaid Students ſhall be there preſent, not to have any voice in what Affairs ſhall be debated, but that by their preſence there, they may the ſooner become fit and proper to Govern the Church when it ſhall pleaſe God lawfully to call them thereunto. Nevertheleſs it ſhall be at the Paſtor's free choice to demand their Judgment, to make tryal of their abilities, which ſhall be done with great prudence and caution, and promiſe not to make it known abroad.

CONFORMITY.

Thoſe whom we call Students, are young Men which ſtudy Divinity, and which reſolve one day to exerciſe the Miniſtry of the Goſpel; and becauſe this Office don't conſiſt alone in Preaching the Word, but generally in all things which one ought to do wiſely to Govern the Flocks; It is with great reaſon, that under certain Conditions we ſuffer them to enter into the Conſiſtories, to the end they may there learn after what way they are to act, when it ſhall pleaſe Almighty God to commit the care of ſome Church unto them.

VII.

A Magiſtrate may be called to the Office of an Elder in the Conſiſtory, provided that the Exerciſe of the one Office doth not interfere with the other, and may not be prejudicial to the Church.

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CONFORMITY.

What I have ſaid to the 5th Article, may very well be applied to this.

VIII.

The Government of the Church ſhall be regulated according to the Diſcipline, as it hath been order'd by the National Synods; and no Church nor Province ſhall make any Law but what in ſubſtance ſhall be conformable to the general Articles of the Diſcipline. To this purpoſe the Articles of the ſaid Diſcipline ſhall be read in the Conſiſtories, at leaſt at the time of celebrating the Lord's Supper; and the Elders and Deacons ſhall be exhorted to have a Copy thereof each of them, to read and ſtudy it at home at leiſure.

CONFORMITY.

In the Ancient Church, It was not permitted to a Province, much leſs to a particular Church, to make any Conſtitution which was not conformable to the Canons which were the Diſcipline of thoſe times, contrary to which, nothing was to be Eſtabliſh'd, eſpecially after the Canons, which compos'd this Diſcipline, had been Authoriz'd by any Oecumenical Council, as the Code of the Canons of the Univerſal Church was by that of *Chalcedon:* This alſo ſhall be farther cleared by the remarks I will make on the 2d Article of the following Chapter.

IX.

IX.

The cogniſance of Scandals, and the cenſure of them, appertains to the Company of Paſtors and Elders; and whole Conſiſtories cannot be impeach'd, nor above half. However Accuſations ſhall be of force againſt particular perſons of the ſaid Conſiſtories, as well Paſtors as Elders, admitted by the ſaid Conſiſtory; and they being adjudg'd, ſhall proceed on, notwithſtanding Appeal, on admiſſion or rejection of the ſaid accuſations.

CONFORMITY.

What I have writ on the 3d Article of the 3d Chap. ſerves as a Commentary on this, without being neceſſary to ſay any more.

X.

The Cuſtom which is found to be us'd in ſome places, of making inqueſt, and a general cenſure of miſdemeanours in the publick Aſſembly of the People, and in preſence both of Men and Women, being condemn'd by the Word of God; the Churches are advertis'd to abſtain from it, and to be ſatisfied with the Order contain'd in the Diſcipline, as to what regards Cenſures.

CONFORMITY.

See what has been obſerv'd on the 51. Article of the 1ſt Chapter.

XI.

XI.

The Elders may be advertis'd not to report miſdemeanors to the Conſiſtory, without great reaſons for it; neither ſhall any one be call'd to the Conſiſtory, without good cauſe or reaſon.

CONFORMITY.

The Elders having been Eſtabliſhed to watch over the Life and Converſation of thoſe which are Members of the Church, as I have made appear; there's no queſtion to be made, but they ſhould do it with Prudence and Charity.

XII.

In the Exerciſe of Eccleſiaſtical Diſcipline, one ſhall forbear as much as poſſible may be, as well from all formalities, as from the terms commonly uſed in Courts of Juſtice.

CONFORMITY.

The Tribunal of the Church being of a very different Nature from Common-Law-Courts, it is convenient the proceeding ſhould be quite different; and that in the Exerciſe of Eccleſiaſtical Diſcipline, one ſhould avoid, as much as may be, the formalities of the Bar; Read the Diſcipline of the Primitive Chriſtians; for Example, the Code of Canons of the Univerſal Church, of which I ſpake juſt now; and I am well aſſur'd they ſhall there find proceedings very different from the conduct and ſtile of what's done in the Common-Law-Courts. I know that the Tribunal of Biſhops at

this time, have too great correſpondence with that of Secular Courts; but I know alſo, 'twas not ſo in the beginning, and that the Ancient Chriſtians Govern'd themſelves quite otherwiſe.

XIII.

Believers ſhall be Exhorted by the Conſiſtories, yea, requir'd in the Name of God, to ſpeak truth, for as much as that don't at all derogate from the Magiſtrates Authority; as alſo the uſual formalities in making Oath, practis'd before Magiſtrates, ſhall not be uſed.

CONFORMITY.

This Eſtabliſhment has nothing in it but what is very agreeable to the uſe and practiſe of the Primitive Chriſtians, as I may prove by ſundry teſtimonies; I ſhall only inſtance in two, which the Oecumenical Councils of *Epheſus* and *Chalcedon* give us, ſeeing that in one and the other, *They Exhort, and Conjure the Biſhops by the Holy Goſpels, to ſpeak the truth.* If theſe two Councils have made no difficulty to do ſo towards Biſhops; Wherefore ſhould not the Eccleſiaſtical Synod, as *Origen* ſpeaks, have power to do ſo to particular perſons, as occaſion ſhall require?

Conc. Epheſ. p. 2. Act. 1. Tom. 2. Con. p. 264, 265 Catch. Acts. Tom. 3. p. 131.

XIV.

In differences which ſhall happen, the Parties ſhall be Exhorted by the Conſiſtories to be reconcil'd by all friendly means; but the Conſiſtories ſhall not appoint Arbitrators, nor ſhall do the Office of Arbitrators. If any of the ſaid

body are called to be Arbitrators, it ſhall be only as a particular perſon, and in their own name only.

CONFORMITY.

This Article is taken from the Doctrine of St. *Paul*, which Exhorts Believers to compoſe their differences and Law-Suits in an amicable manner, and to chuſe out ſome amongſt their Brethren, to whoſe Judgments they might refer the Deciſion of all thoſe things which cauſes debates and ſtrife amongſt them. St. *Chryſoſtom* and *Theodoret* explaining the words of the Apoſtle, do fully confirm what is ordain'd by our Diſcipline. 1 Cor. 6.

XV.

Beſides the Admonitions which are made by the Conſiſtories to thoſe as have done amiſs; if it ſo happens that greater Cenſure and Puniſhment muſt be us'd, it ſhall be either Suſpenſion, or Deprivation for a time from the Holy Sacrament, or Excommunication and Retrenchment from the Church. And the Conſiſtories ſhall be advertis'd to proceed warily, and to diſtinguiſh betwixt the one and the other, as alſo prudently to weigh and examine the faults and ſcandals which they ſhall be inform'd of, together with all circumſtances, the better to judge what Cenſure it ſhall require.

CONFORMITY.

There is nothing more frequent nor better Eſtabliſhed in the ancient Diſcipline, than what ours doth here preſcribe; ſo that 'tis not neceſſary long to inſiſt on a

matter, the truth whereof it were eaſie to prove by a great number of teſtimonies, were it not to ſpare the Reader a trouble. The Primitive Chriſtians did juſt as we do, they informed Sinners of their Duty, they charitably repreſented to them their faults, they applied to them fit cenſures, they depriv'd them of participating of the Divine Myſteries, they cauſed them to paſs by certain degrees of Penance proportion'd to the greatneſs of their faults; and when the crimes were heinous, and the obſtinacy ſtout and reſolute, they Excommunicated them, in ſeparating them from the Society of the faithful, as perſons who had made themſelves unworthy of living within the pale of the Church. *Tertullian* has in few words compris'd all this proceeding which I have now touched, when deſcribing the Aſſemblies of his times, he obſerves, *That therein was made Exhortations, Reprehenſions, and Cenſures; that therein were inflicted puniſhments; that after having maturely weighed all things, Judgment was given, being perſwaded God ſee them; and it is,* ſaith he, *a great reſemblance of the laſt Judgment, if any one for his ſins is deprived of the Communion of Prayer, from the Aſſembly, and from all holy intercourſe.*

Apolog. cap. 39.

Which will alſo appear yet more clearly, if one conſiders that *Peter* Biſhop of *Alexandria*, and Martyr of Jeſus Chriſt under *Diocleſian*, has expreſſed the vertue and efficacy of the Communion, by communicating in all things; in Prayers, in participating of the body and blood of the Lord, and in the Preaching of the Word. *Origen* has already ſpoke of the Eccleſiaſtical Synod, and of thoſe which had the care to watch over the conduct of Chriſtians, to encourage the one to do well, and to exclude from the holy Aſſemblies thoſe which lived ill; upon which it may be noted, there was two ſorts of Excommunications amongſt the Primitive Chriſtians; the former

Epiſt. Canon, cap. 8.

Chap. 3. Art. 3.

former which was moſt frequent, conſiſted in the being debar'd from the Sacraments, to which ſinners could not approach until after having done Penance for their ſins, as it happened to the Emperour *Theodoſius*, as is related by *Zozomen Lib.* 3. *Cap.* 25. for ſo it was, that all publick ſins were puniſhed; the other was a total excluſion from the Society of Believers, which *Tertullian* expreſſes by *Omni Eccleſia tecto Submovere.*

XVI.

Suſpenſion from the Holy Sacrament ſhall be uſed, the more effectually to humble ſinners, and make them the more truly ſenſible of their offences. This ſuſpenſion, nor the cauſe of it, ſhall not be declared to the people, neither alſo the reſtitution of the ſinner, unleſs it were in caſe they were Hereticks, deſpiſers of God, Rebels to the Conſiſtory, Traytors to the Church; as alſo ſuch as ſhall be guilty of crimes worthy of corporal puniſhment, and that bring great ſcandal on the whole Church: as alſo thoſe who againſt remonſtrances to them made, do marry to Papiſts. Fathers and Mothers which do ſo marry their children, Tutors, Curators, and others which ſupply the place of father and mother, and do ſo marry their Pupils; together with thoſe which thither carry them to be Baptized, or do preſent others to be Baptized; it being neceſſary that all ſuch perſons, altho there may be perceived in them ſome beginning of Repentance, ſhould ſpeedily be deprived for ſome time from the benefit of the Sacrament; and that the Suſpenſion ſhould be declared to all the People, as well that they may be the more humbled and induced to repentance, as to diſcharge the Church from all blame and reproach; and alſo to give terror to others, and make them tremble by this example, to avoid the like Sins.

CON-

CONFORMITY.

There has ever in the Church a diſtinction been made betwixt ſecret ſins, and thoſe ſins which have been publick and ſcandalous; in regard of the former, the Church never exerciſed any authority; for to the end ſhe might act againſt ſinners, it is neceſſary that they confeſs their ſins, or that they may be convinc'd of them: But becauſe it may ſo happen that the ſins of a private perſon may be known to ſome of the Governours of the Church, and that he may not have ſcandalized the publick, in this caſe he may be cenſured in the Eccleſiaſtical Senate, and if his crime deſerves it, may declare to him he is not in a ſtate fit for ſome time to approach to the holy Communion; which is juſt what is practiſed by us. But when the ſins are publick and ſcandalous, we publickly ſuſpend from the Holy Sacrament thoſe which commit them, and leave them in this ſtate, until ſuch time that having given ſufficient marks of ſincere Repentance, we receive them into the boſom of the Church, by a publick acknowledgment of their offence, which they are obliged to do in preſence of all the People.

Orig. Hom 7. in Joſ. pa. 185. l. 1. *Aug.* Ser. 16. de Verb. Do. c. 7 Tom. 10.

And herein we follow the Example of the Primitive Church, which only ſubjected theſe ſort of Sins to the Canons of publick Penance; it is the conſtant Doctrine of *Origen*, as appears in divers parts of his Writings; where he formally declares, that there's only great Sins, ſcandalous Sins, which ſhould be publickly puniſhed; and alſo he will have it done with a ſpirit of Charity, and according to the Goſpel precept, for ſo 'tis he explains himſelf in his third Homily on *Leviticus*.

Hom. 7. in Joſ. & 21. & 2. in Jud. Tom. 1. & in Mat Trac. 35. To. 2.

Gregory of *Nyſſe* in his Canonical Letter to *Letoius*, ſpeaks no otherwiſe; and tho he expreſſes himſelf in different

Can. 5, & 6.

different terms from *Origen*, yet he acknowledges that 'tis only publick Sins which ſhould paſs by the degrees of publick Penance, according to the Conſtitution of the Fathers.

St. *Auſtin* is no leſs clear herein than the two others; he teaches in the Book of fifty Homilies, which is in the tenth Tome; That when the ſin is great, and gives ſcandal to others, the Sinner ought to do Penance in preſence of all the Congregation, eſpecially if the Edification of the Church require it. And in another of theſe ſame Homilies, that is in the 27*th.* he will have to paſs by this rude and laborious Penance, *Murderers, Adulterers, and Sacrilegious perſons.* And in the ſixteenth Sermon on the words of our Lord, he ſaith, *That the ſins which are committed publickly muſt be reproved publickly, and privately thoſe which are committed more ſecretly.* I might add to theſe Teſtimonies, what he writes in the Epiſtles Fifty four, and hundred eight, which are in the ſecond Tome of his Works, and in the 65*th. Chap.* of his Manual to *Laurence*, the Author of the Queſtions on the Old and New Teſtament, which is in the Appendix of the fourth Tome, which ſhews he is in this of the ſame opinion as the true St. *Auſtin* is, in explaining the 102. Queſtion.

Hom. 50.

Tom. 10. Cap. 7.

Tom. 3.

Cæſarius Biſhop of *Arles*, a Writer of the Sixth Century, in the firſt and eighth of his Homilies, Pope *Gregory* the Firſt in the 31. Letter of the 12*th.* Book. *Iſidore* Biſhop of *Sevil*, about the ſame time, in his ſecond Book of Sentences, *Chap.* 20. and in the third, *Ch.* 46. theſe three have followed the ſteps of others. It is with regard hereunto that the third Council of *Carthage* enjoins Biſhops in the fourth Century, *to preſcribe to Penitents according to the nature of ſins, the time of penance.* The Jeſuit *Petau* in the 2, 3, and 10*th. Chap.* of his 6*th.* Book of *Publick*

Tom. 2. Bibl. Patr.

Can. 31. Tom. 1. Conc pag. 711.

Publick Penance, acknowledges againſt Mr. *Arnauld*, That it was the practiſe of the ancient Church, where only heinous and ſcandalous Crimes were publickly reproved; he acknowledges the ſame thing in his Obſervations on St. *Epiphanius*, where he has a diſſertation on the ancient manner of Penance, on occaſion of the Hereſie of the *Novatians*, which is the 59*th.* in order. Father *Sirmond* of the ſame Society, ſpeaks in the ſame manner in his Treatiſe of Publick Penance, *Chap.* 2. & 4. In the main, all I have ſaid, regards the uſual Excommunication of the Primitive Church, of which I have treated in the precedent Article, and by the Laws whereof ſcandalous Sinners were not admitted to the Holy Table, until they had paſſed through all the Degrees of Penance which was then in uſe.

Tom 2. pag. 238.

XVII.

If by ſuch ſuſpenſions the Sinners were not reclaimed, but continued obſtinate and impenitent after long expectation, and that they have been ſeveral times admoniſhed and intreated, proceeding ſhall be made againſt them, by giving publick admonitions to the People three ſeveral Sundays, being named, if need be, by the Miniſter, to make them more aſhamed; every body advertiſed to pray to God for them; and endeavour by all means to bring them home by repentance of their ſins, to prevent Retrenchment and Excommunication, to which one cannot proceed without ſorrow. But if for all this, they will not repent, but perſevere in their obſtinacy and impenitence, on the fourth Sunday it ſhall be publickly ſaid by the Paſtor, That 'tis declared to the ſaid ſcandalous and obſtinate perſons, in naming them by their Names, That they are not any longer acknowledged as Members of the Church, cutting them off from it in the Name and Authority of our Lord Jeſus Chriſt, and of his Church. And the form of the Excommunication ſhall be as follows. The

The Form of the Excommunication.

Brethren, ſee here the fourth time that we declare unto you, that N. for having committed ſeveral Crimes, and for having ſcandalized the Church of God, and for ſhewing himſelf impenitent and a contemner of all admonitions which have been made unto him by the Word of God, has been ſuſpended from the Holy Supper of the Lord; the which ſuſpenſion, and cauſes of it, has been ſignified to you, to the end you may join your Prayers with ours, that it might pleaſe God to ſoften the hardneſs of his heart, and give him true Repentance, drawing him from the way of perdition. But having ſo long time waited for him, prayed and exhorted, and conjur'd him to be converted to God, and endeavoured all means to bring him to repentance, nevertheleſs perſeveres in his impenitence, and with an incorrigible obſtinacy, rebels againſt God, and tramples under foot his Holy Word, and the Order he has eſtabliſhed in his Church; and glorying in his ſins, is cauſe that the Church for ſo long time, is diſturbed, and the Name of God blaſphemed. We Miniſters of the Goſpel of our Lord Jeſus Chriſt, whom God has armed with Spiritual weapons, powerful through God to the pulling down of ſtrong holds which hold out in oppoſition againſt him, to whom the Eternal Son of God has given power to bind and looſe on Earth, declaring that whatſoever we bind on Earth ſhall be bound in Heaven, to the end to puriſie the Houſe of God, and free his

Church from Scandals, and in pronouncing Anathema againſt the wicked, ſhould glorifie the Name of God. In the Name and Authority of the Lord Jeſus, by the advice and authority of the Paſtors and Elders aſſembled in Colloque, and of the Conſiſtory of this Church, we have Retrenched and do Retrench the ſaid N. from the Communion of the Church; we Excommunicate and remove him from the Society of the Faithful, that he might be to you as a heathen and unbeliever, and amongſt true Chriſtians he may be Anathema, and Execrated, let his Company be eſtæmed contagious, and let his Example fill your ſouls with fear, and make you tremble under the mighty hand of God, ſæing 'tis a fearful thing to fall into the hands of the living God. Which Sentence of Excommunication the Son of God will ratifie, and make it efficacious, until that the ſinner aſhamed and humbled in the ſight of God, gives him glory by his converſion, and being freed from theſe chains of Satan, wherewith he is bound, he bewails his ſins with tears of Repentance. Beloved Brethren, pray unto God that he will have pity on this poor ſinner, and that this fearful Judgment, the which with great ſorrow and ſadneſs of heart we pronounce againſt him in the Name and Authority of the Son of God, may ſerve to humble and turn into the way of truth, a ſoul which is ſtrayed from it. Amen.

Curſed is every one that doth the work of the Lord negligently. If there be any one that loves not the Lord Jeſus Chriſt, let him be *Anathema, Maranatha.* Amen.

CON-

CONFORMITT.

Chriſtians were not the firſt which inflicted the pain of excommunication on Rebellious and Scandalous Sinners; Pagans and Jews have practiſed the ſame thing; I ſay Pagans; *Caſar* informs us in his Commentaries, that the *Druids* in *Gaul* Excommunicated thoſe which deſpiſed their Decrees and their Conſtitutions; forbidding them to approach near the Sacrifices, after which they were lookt upon as impious and obſtinate, every one flying from their company and converſation, fearing to receive ſome harm by infection; and this puniſhment, which was the greateſt of all thoſe they did inflict, put into ſuch a condition thoſe which were ſubjected to it, that they were refuſed the benefit of the Law, altho they earneſtly deſired it; and it alſo deprived them from all degree of honour. Lib. 6 pag. 134, 135.

As for the *Jews*, every body knows Excommunication was in uſe amongſt them; who, as 'tis ſaid, had three ſorts; the firſt and ſlighteſt, which they called *Niddui*, this ſeparated the guilty from thoſe which were not ſo, but for a little ſpace, and for thirty days only; the ſecond which they called *Herem*, was attended with *Anathema's* and Maledictions, and it was not permitted to eat nor drink with him that was ſo Excommunicated; and 'tis probable St. *Paul* had regard to this kind of Excommunication, when he ſaith, 1 *Cor.* 5. 2. *I write unto you, that you ſhould not eat with ſuch a one.* The third kind of Excommunication was *Shammatta*, by which was ſeparated for ever from the Communion and Society of the Church, him that was guilty.

Seeing then that *Jews* and Pagans have exerciſed this power, methinks it would be injuſtice to refuſe it to the

Chriſtian Church, ſeeing alſo Jeſus Chriſt her Head and Spouſe has commanded us in his Goſpel to look on him that refuſes to hear the Church, as a Pagan and Heathen; that is to ſay, he will, *that he be caſt out of the Church*; or that he be Excommunicated, which amounts all to one thing. St. *Paul* has expreſſed this action by delivering over to Satan, 1 *Cor.* 5. 5. 1 *Tim.* 1. 20. unleſs one will ſay that there was ſomething more in St. *Paul*'s Excommunication than in that deſigned by Jeſus Chriſt in the Goſpel.

Matt. 18. 17.

However it be, the Governours of Churches ſtrengthned by the command of the Lord Jeſus, and by the Example of his Apoſtles, have always Exerciſed this Eccleſiaſtical power againſt enormous and ſcandalous ſins. *Tertullian* and *Origen* have ſhewn on the fifteenth Article, That it was the practiſe of their times; which is alſo verified by the places I have cited out of the ſame *Origen* on the precedent Article; and by another of *Tertullian*'s, who writes in his Book of Pudicity, *Chap* 4. that theſe ſinners ſhould be driven away from the Incloſure of the Church, and the place of the Aſſembly; and this was the great and true Excommunication whereas the other was only a privation from the Sacraments. To theſe two Witneſſes we may joyn St. *Cyprian*, Contemporary with *Origen*, who very often in his Epiſtles makes mention of this Cenſure, when he ſpeaks, *of removing from the Communion, of not Communicating with ſome one, to baniſh, and to caſt out of the Church, to condemn by the mouth of the Paſtor, to kill with the Spiritual Sword.* And other Expreſſions he uſes to declare the ſame thing. The tenth of the Canons attributed to the Apoſtles, does not ſuffer us to be ignorant of this ancient Diſcipline. *Seeing he Excommunicates him that prays with an Excommunicated perſon, in the Houſe only*: I'le inlarge no farther, ſeeing one

Ep. 28. 38, 55, 62 of the laſt Edit.

one muſt make a Volume, if one would collect all the Canons and Teſtimonies of the Fathers which treat of Excommunication; and more alſo, ſhould one treat of the Hiſtory of Interdiction, which Popes, to render their Power more formidable, have ſent abroad in theſe laſt Ages, contrary to the uſe and practiſe of the Primitive Church, to which they were utterly unknown.

As for the Order which is to be followed, according to our Diſcipline, before debarring a ſinner from the Communion of the Church, beſides that it is grounded on the Laws and Precepts of Charity, it is alſo conformable to the practiſe of the Primitive Chriſtians, who by *Origen*'s report, reproved and warned the guilty three ſeveral times before they came to this laſt Extremity. Thence it is alſo, the ſame method was obſerved when there was any mention of depoſing an Eccleſiaſtical Perſon, becauſe in ſundry occaſions the ſame faults which deſerved Depoſition of a Church-man, was puniſhed with Excommunication in a Secular, as appears by divers Canons, particularly by the ſixth and ſeventh of the firſt Oecumenical Council of *Epheſus*, where we find theſe words, *If they are Biſhops, or others of the Clergy which are depoſed, the Biſhops from Epiſcopacy, the others from the degree they held in the Clergy, from whence they are quite excluded; but if they are Lay perſons, let them be Excommunicated.* And we have made appear on the 49*th. Artic.* of *Chap.* 1. that a Biſhop was cited three times, or any other Eccleſiaſtical perſon, before proceeding to his depoſing.

Hom. in Joſ. Tom. 1. p. 185.

See the Can. 8, & 17. of the Counc. of *Calced.*

I don't inſiſt on the form of Excommunication repeated after the Article on which I have made the neceſſary remarks, becauſe 'tis in the liberty of the Church in ſuch like occaſions to make uſe of what terms it ſhall judge moſt fitting, provided that in the main it don't depart from

from the bounds which the Goſpel does preſcribe, nor from the Example of the Holy Apoſtles. Neither do we ſee that in the Primitive Church they were confined to the uſe of a form of words when any one was Excommunicated; thoſe which condemned Sinners to that puniſhment, having been always Maſters of the form and manner of Excommunication, which is always the ſame in ſubſtance, what variety ſoever there may be in the form wherein it is conceived.

XVII.

For the future, all Sentences of Excommunication confirmed by the Provincial Synod, ſhall continue firm, as alſo all Sentences of Suſpenſion from the Lords Supper, given by the Conſiſtory, the which not being publiſhed to the People, ſhall hold good, altho the party ſuſpended appealed to the Colloque, or Provincial Synod.

CONFORMITY.

There's nothing in this Article but what is very conformable to the ancient Diſcipline, according to which each Church had power to inflict throughout the whole extent of its Eccleſiaſtical Juriſdiction, the neceſſary puniſhments and Cenſures againſt all ſorts of offences; ſo that when a Biſhop had Excommunicated any one, none but the Synod of the Province could take off the Excommunication; as there was none but the Synod of the whole Dioceſs which comprehended ſeveral Provinces which could reverſe the Sentence of a Provincial Synod. Therefore 'tis, that the Sixth Canon of the firſt Oecumenical Council of *Conſtantinople*, the 9. and 17. of that of *Chalcedon*, ſuffers to appeal from the Biſhop to the Provincial

vincial Synod, and from the Provincial to that of the whole Dioceſs, of which we have a reſemblance in our National Synods.

XIX.

Thoſe which have deſerted the profeſſion of the True Religion to embrace Idolatry, if they perſiſt in this Apoſtacy after means uſed to return them to the flock, they ſhall publickly be declared Apoſtates, to wit, thoſe who lately ſhall turn to be ſuch, unleſs the Conſiſtory ſhall think ſuch a publication to cauſe ſome notable damage and prejudice to the Church, in which caſe nothing ſhall be done but by advice of the Provincial Synod. As for thoſe which of a long time ſhall be revolted, the execution of this publication is refer'd to the diſcretion of Conſiſtories.

CONFORMITY.

In the Primitive Church Idolatry and Apoſtacy were in ſeveral places excluded from pardon and abſolution, during the two firſt Centuries of Chriſtianity, as is made appear by the firſt and 46. Canons of the Council of *Eliberi* aſſembled *Anno Dom.* 305. and by the laſt of the firſt Council of *Arles* in the year 314. but it alſo appears by theſe ſame Canons, that bare Apoſtacy was not without hope of being pardoned by the Church, but only when it was accompanied with Idolatry, which the ancient Chriſtians looked upon as the blackeſt of all crimes, and the moſt heinous of all ſins: But the great Council of *Nice* removed this difference in the 11*th.* Canon, and made them all hope to find abſolution in a certain time, as well Idolaters, as meer Apoſtates and Deſerters; but this Decree was not ſo ſoon obſerved in all places, as may be gathered from the Writings of St. *Pacian* Biſhop of *Barcelona*,

Tom. 1. Conc. p. 232, 236. Tom. 1. Conc. *Gall.* p. 8.

Paran. ad *Pac.* Tom. 3 Bib. Pat. pag. 71.

celona, who writ after the ſitting of this Council; and it may alſo be ſaid, that before the middle of the third Century, bare deſerters were not received into the boſom of the Church, but they were ſtill left under the labour of Penance, without any hope of Abſolution, no not ſo much as at the hour of Death; it was at leaſt the practiſe of moſt of the Weſtern Churches. *Tertullian* in his Treatiſe of *Pudicity*, and St. *Cyprian* in ſome of his Epiſtles, ſuffers us not to call in queſtion the uſe of this hard and ſevere Diſcipline, no more than the mitigation which was begun to be uſed in it at that time at *Rome*, and in *Africa*.

Cypr. Ep. 52. cum 14, & 31.

XX.

In publick offences, that is to ſay, committed in effect, and known to a great many of the People, the reſtoring of the ſinner ſhall be made by the publick acknowledging his fault, tho he had been puniſhed by order of the Magiſtrate.

CONFORMITY.

In the Primitive Church the reſtoring of a Scandalous Sinner was not done but in preſence of all the People, by the Impoſition of Hands, which was accompanied with Prayer; and the better to underſtand the nature of this Diſcipline, it is to be obſerved, that three ſorts of Impoſition of Hands was uſed to Sinners, whoſe Sins were puniſhed according to the Laws of publick Penance; by the former they were admitted to do Penance after having demanded it: *Let the Penitents* (ſaith the Council of *Agde* in the year 506. *Can.* 15.) *receive the Impoſition of Hands, at the time that they deſire to do Penance.* The ſecond was not practiſed one time only, as the

Tom. Conc. Gall. p. 164.

the firſt, but often, during the whole time of Penance; for as often as the Church aſſembled to attend the Exerciſes of Piety and Religion, they were made go out, as well as the *Catechumeny*, before the celebrating of Divine Myſteries; but after, the Biſhop impoſed his Hands, and Prayed on the one and the others ſeparately; ſo it is we find it by the 19th Canon of the Synod of *Laodicea*: *It is requiſite*, ſaith he, *after the Homilies, or Sermons, the Biſhops make Prayers ſeparately; firſt on the* Catechumeny; *and theſe being gone forth, Prayer muſt be made on thoſe which are under Penance; and after the Penitents have been under the hands of the Biſhop, and that they are withdrawn, the three Prayers of Believers muſt be made:* The laſt was deſtin'd for the publick reconciliation of Sinners, after they had accompliſhed all the time of their Penance, and that they had paſſed through all its divers degrees: Therefore the 3d Canon of the 1ſt Council of *Orange*, in the year 441. calls this Impoſition of Hands, *The impoſing of reconciliatory hands*, becauſe God was beſeeched that he would pardon theſe Penitent Sinners, and that he would reconcile them to God and his Church. The 78th Canon of the 4th Council of *Carthage*, calls it ſimply, *The Impoſition of Hands*, without which it will not ſo much as have ſick Penitents to be Abſolv'd, in caſe they recover, although they had receiv'd the Sacrament during their Sickneſs. Pope *Leo* I. calls it the Door of Reconciliation, in his 41ſt Epiſtle to *Theodorus*.

See 4 Conc. of Carth. Can. 80. Tom. 1. Conc. Toletan. 3. c. 11. Tom. 4. p. 504. An. 589.

Tom. 1. Conc. Gall. p. 71.

Tom. 1. Concil. p. 730.

XXI.

Seeing Adultery brings a mark of Infamy, eſpecially on Women; the Publiſhing ſuch Offences is refer'd to the diſcretion of Conſiſtories.

CONFORMITY.

St. *Baſil*, in his Canonical Epiſtles, has preſcribed ſomething of this kind; Our Fathers, ſaith he, have forbid to publiſh (that is to ſay, to make known to the People) the Women guilty of Adultery, whether they confeſſed it by a movement of Piety, or that they were in ſome ſort convinced of it, for fear that being Convicted, we ſhould expoſe them to danger of Death: But they have appointed that they ſhould be deprived of the Communion, until ſuch time as they ſhould accompliſh the time of Penance.

Ep. 2. Can. 34. Tom. 3. p. 32.

XXII

Publick acknowledgments are not to be made but in perſon, and the Sinner ſhall give teſtimony of his Repentance.

CONFORMITY.

What we have alledged on the 20th Article, ought to ſerve as a Commentary on this, ſeeing it was the Sinner in perſon which was publickly reconciled to the Church, after having fully ſatisfied the Laws of Penance.

XXIII.

The Sinner which has been Suſpended from the Lord's Supper by the Conſiſtory, and that the Suſpenſion has not been declar'd to the People, ſhall deſire of the Conſiſtory to be reſtor'd; and ſhewing ſigns of Repentance, ſhall there be reſtored, without making publick acknowledgment.

CON-

CONFORMITY.

This Article is alſo very conformable to the practiſe of the Primitive Church, which opened not the door of reconciliation in preſence of the People, but only to Sinners which were in publick Penance, and publickly deprived of the participation of the Sacraments, as evidently appears by what I have hitherto ſaid: As for other Sinners whoſe faults were not publick, they were treated in a gentler ſort, and proportionable to the ſins they had committed.

XXIV.

But him whoſe Suſpenſion had been declared, after his Repentance had been known to the Conſiſtory by good Living, and ſufficient Teſtimonies, he ſhall publickly be reconciled to the Church, in acknowledging his offence.

CONFORMITY.

This Article being in ſubſtance the ſame with the 20. the Reader may ſee what we have obſerved on that, it being needleſs to ſpeak to this.

XXV.

Thoſe who by their obſtinacy and hardneſs in their faults, have been cut off from the Church, ſhall not ſlightly be reconcil'd to the Church; but after a good and long proof of their Repentance, they ſhall be heard in the Conſiſtory, and if they deſire to be receiv'd into the boſome of the Church, acknowledging their faults, proclamation ſhall be made to the People to

ſtir them up to pray and bleſs God; and ſometime after they ſhall be preſented to the whole Church, to confeſs and deteſt their faults and paſt rebellions, demanding Pardon of God and his Church, and ſo ſhall be reconciled with Joy and Publick Prayers.

CONFORMITY.

The Ancient Chriſtians were wont to keep Sinners under Penance more or leſs, according to the nature of the Crimes whereof they were guilty; all the Canons which treat of this matter, confirm it; and one may only read them to find this difference; the time of Penance of ſome being incomparably longer than of others, becauſe their Sins were more enormous and heinous; and as to be hardned in Sin makes it more criminal; ſo alſo they failed not to augment the puniſhment in prolonging the time of Penance, ſometimes even to the hour of Death, even after the time that ſome mitigation had been made to the firſt Diſcipline in regard of ſome Sins which in ſeveral places were excluded from all hope of Pardon in the boſom of the Church, as is made appear by the 16th Canon of the Synod of *Ancyra*, in the year 314.

XXVI.

Thoſe which in a Church ſhall fall into Idolatry, thereupon ſhall come to live in another Church where the fault is not known, ſhall confeſs their fault only in Conſiſtory, on condition that returning to the ſaid Church which they had offended, they alſo acknowledg their fault publickly in it; however referring to the diſcretion of the Conſiſtory to do otherwiſe, if they ſhall ſo think expedient for the Edification of the

the Churches: The ſame Judgment ſhall be made of all other Faults which ſhall require publick Confeſſion.

CONFORMITY.

Amongſt the Primitive Chriſtians, when a Sinner had been Excommunicated in a Church, when he had been cut off from its body, or only debar'd from the Holy Table, another Church was not permitted to receive him, without the conſent of that which had inflicted the puniſhment; It was by this Principle, that the Clergy of the Church of *Rome*, the See being vacant after the death of its Biſhop *Hygin*, about the year of our Lord 150. would not receive *Marcion* to the Communion, becauſe he had been Excommunicated by his own Father, who was Biſhop, for having debauch'd a young Woman: *We cannot*, ſay they, *do this without the Order of your venerable Father.* In *Theodoret*, *Alexander* Biſhop of *Alexandria*, complains to *Alexander*, Biſhop of *Conſtantinople*, that ſome Biſhops had received to the Communion, ſome perſons which he had Excommunicated. The 5th Canon of the great Council of *Nice* expreſly forbids it; as alſo ſeveral others, which 'tis needleſs to alledge.

Apud Epiphan. Petau. Hær. 42. p. 303.

But when there was no Sentence given againſt a Sinner, that he had not appeared before the Guides to acknowledg his Sin, or to be convicted of it, and that by conſequence he had not been Excommunicated; it is very probable that if he retired into another Church where the Fault was not committed, he there would be treated according to the Rules of Chriſtian Charity, without paying the ſatisfaction which he owed to that, which he had ſcandaliz'd in caſe he return'd to it: It is juſt what is preſcribed by our Diſcipline; whereas there is

is not, that I know of, any poſitive Decree in the Ancient Canons, on a matter of the Nature of that which we Examine, although it may be reaſonably thought there is, by what was practis'd in other occaſions.

XXVII.

All offences confeſſed, and reparation made for them, ſhall be ſtruck out of the Conſiſtory Books, except thoſe which being join'd with Rebellion, have been cenſur'd with Suſpenſion from the Lord's Supper, or Excommunication.

CONFORMITY.

As there were only publick Faults, and ſcandalous Sins, which were to be ſatisfied for in the preſence of the People; there is great likelihood, that in the firſt Ages, the Eccleſiaſtical Senate kept not a Regiſter of others of a leſs quality, and which deſerv'd not to ſuffer the pain of publick Penance; or at leaſt if they were wont to be written, they were carefully expung'd, after the Sinners had done what was requir'd of them in preſence of the Conductors, and that the neceſſary Cenſures had been applied to them; otherwiſe what the Church has ever carefully diſtinguiſhed, had been confounded and embroil'd.

XXVIII.

Conſiſtories ſhall not give Certificates to Magiſtrates by Act nor otherwiſe; nor particular Members of Conſiſtories ſhall diſcover unto any, the Confeſſions of Penitents, which voluntarily, or by admonitions given them, ſhall have confeſſed their faults unto them, unleſs it be in Caſe of Treaſon.

CON-

CONFORMITY.

There is nothing more judicious than this Rule, which enjoins to keep the ſecret of Confeſſion made by Sinners of their faults, either to the Bodies of Conſiſtories, or to any particular perſon whereof they are compos'd, except the crime of Treaſon; becauſe in effect, the Seal of Confeſſion ſhould not be regarded, when there is queſtion of the Sacred Perſons of Kings, and of the ſafety of their Eſtates; there being no ſubject of what degree or quality ſoever he be, that in this occaſion is not bound in Conſcience to diſcloſe the ſecret which has been revealed to him; otherwiſe he renders himſelf guilty in the ſight of God, and deſerves to be exemplarily puniſh'd by the Laws of Men.

XXIX.

Proceedings ſhall be made by Eccleſiaſtical Cenſures even to Excommunication, againſt thoſe, which ſaying they are of the Religion, ſhall cite Paſtor, and Elders, or all the Conſiſtory before the Magiſtrate, to make them give Teſtimony againſt Delinquents which ſhall have confeſſed their faults before them.

CONFORMITY.

The 11th. Canon of the Council of *Antioch, Anno Dom.* 341. expreſly prohibits Biſhops and Prieſts, to addreſs themſelves to the Emperor for any buſineſs, without the conſent and Letters of the Biſhops of the Province, eſpecially of the Metropolitan; and the 12th deprives them of the liberty of defending themſelves, and leaves them

them no hope of re-eſtabliſhment, if after having been Depos'd by their Synod, they have recourſe to the Emperor, inſtead of addreſſing themſelves to a greater Synod; for example, to that of the whole Dioceſs compoſed of the Biſhops of ſeveral Provinces. The Oecumenical Council of *Conſtantinople*, Aſſembled in the year of our Lord 381. appoints in the 6th Canon, not to receive the teſtimony of thoſe, which, deſpiſing the Authority of Provincial Synods, and of thoſe of the whole Dioceſs, have the confidence to implore Juſtice of the Emperor, or of the Civil Magiſtrate; becauſe, ſay the Fathers, *they do injury to the Canons, and they overthrow all Eccleſiaſtical Diſcipline.*

XXX.

As for Crimes which ſhall be diſclos'd to Miniſters, by thoſe which demand counſel and conſolation, Miniſters are enjoin'd not to reveal them to Magiſtrates, fearing leſt blame ſhould be drawn on the Miniſtry, and Sinners ſhould be diſcouraged for the future to come to Repentance, and make Confeſſion of their faults; which ſhall ſtand good in all crimes confeſſed, except it be Treaſon.

CONFORMITY.

What I have writ on the 28th Article, ſufficeth for explanation of this; which in ſubſtance contains the ſame thing.

XXXI.

If one or more of the People ſtir up diſſention, to diſturb the unity of the Church upon any point of Doctrine, or of Diſci-

Diſcipline, or of the form of Catechiſm, the Adminiſtration of Sacraments, or of Publick Prayers, and the Order of Marriage, and that hereto particular admonitions are not a ſufficient Remedy; the Conſiſtory of the place ſhall endeavour with ſpeed to diſſolve and appeaſe the whole matter without noiſe, and with all mildneſs of the Word of God: And if the oppoſers will not acquieſce, the Conſiſtory of the place ſhall deſire the Colloque to aſſemble in time and place more convenient, having firſt of all made the ſaid Oppoſers expreſly promiſe, which ſhall be regiſter'd, That they ſhall not ſpread abroad their Opinions in any ſort or manner whatever, until the Convocating of the Colloque, under pain of being cenſur'd as Schiſmaticks; yet they may have liberty to confer with the Miniſters and Elders, if they have not been ſufficiently inſtructed. And in caſe the gainſaying Brethren refuſe to make the ſaid promiſes, they ſhall be cenſur'd as Rebels, according to the Diſcipline; and the Colloque being aſſembled, ſhall proceed as above. And if the ſaid Oppoſers have been patiently heard, and refuted by conſent, the whole ſhall be Regiſtred; if not, the Provincial Synod ſhall be deſir'd to meet, extraordinarily if need require, at the time and place that the ſaid Colloque ſhall judge moſt convenient, after the Promiſe as above-mention'd, reiterated by the ſaid Oppoſers. The Synod aſſembled, ſhall firſt of all conſider with good deliberation and conſideration, of the Matter, the Places, the Time, and Perſons, whether it ſhall be expedient that the Conference with the ſaid Oppoſers be made in preſence of the People, the Doors ſhut, or open, and that Audience be given to any of the Parties preſent that would ſpeak, or not; and that in all Caſes, the deciſion ſhould belong to others, than to thoſe called in the Province; and the whole, according to the Order contain'd in the Diſcipline: And that then, if the ſaid gain-ſayers will not obey, they ſhall make the ſame Promiſe as above, and ſhall be tranſmitted over to the National Sy-

nod, ordinarily, or if neceſſity require, extraordinarily aſſembled; the which ſhall hear them with all Holy Liberty; and there the intire and final reſolution ſhall be made by the Word of God; to which if they refuſe to acquieſce from Point to Point, and with expreſs diſlike of their Errors Regiſtred, they ſhall be cut off from the Church.

CONFORMITY.

This Article ſhall be Explain'd in what I ſhall obſerve on that which follows.

XXXII.

A Paſtor or Elder, breaking the Unity of the Church, or ſtirring up contention about ſome Point of Doctrine, or of Diſcipline, which he has ſubſcribed; or of the form of Catechiſm, or Adminiſtring the Sacraments, or publick Prayers, or Marriages, refuſing to obey what the Colloque has determin'd, ſhall then be ſuſpended from his Office, to be farther proceeded againſt at the Provincial or National Synod.

CONFORMITY.

Ep. 72. p. 121. ult. Edit. A Council of *Africa*, in the time of St. *Cyprian*, Depoſed thoſe of the Clergy which, by their Rebellions, diſturb'd the Concord and Unity of the Church. St. *Baſil*, in his 1ſt Canon of his 1ſt Canonical Epiſtle to *Amphilochius*, preſcribes after what manner one ſhould act, not only againſt true Schiſmaticks, but likewiſe againſt all thoſe which ſtir up Diviſions in the Church, and which alſo make Conventicles and Aſſemblies apart; He ſpeaks in the ſame place of Hereticks; and as theſe are three ſorts of Perſons, very different one from another; this Doctor

Doctor doth alſo adjudge diverſity of Puniſhments.

But beſides what I have now remark'd, we have alſo ſeveral Canons of Ancient Councils which do favour the Order of our Diſcipline; the 6th of the 1ſt Univerſal Council of *Conſtantinople*, is againſt thoſe which endeavour to confound and overthrow the Eccleſiaſtical Order. The VII. firſt, of the 1ſt of *Epheſus*, which is the 3d Oecumenical, were compos'd againſt all ſuch of the Clergy as well as People, which ſhould depart from the Decrees of the Council, and that ſhould adhere to Revolt or Apoſtatize. The 18th of *Chalcedon* forbids all ſorts of Fraternities and Combinations againſt the Church; obſerving, That ſeeing this Crime is forbid by the Civil Laws, that it ought much more to be defended in the Church: It is for this Cauſe ought to be cited the 21ſt Canon of the 3d Council of *Orleans*, in the year 538. and the ſecond Decree made by the Synod of *Rheims*, in the year of our Lord 630.

Tom. 1. Conc Gal. p. 254. Ib. p. 480.

XXXIII.

In each Church there ſhall Memorials be made of all remarkable things in Matters of Religion; and a Miniſter ſhall be deputed to each Colloque, to receive and carry them to the Provincial, and from thence to the National Synod.

CONFORMITY.

Pope *Fabian*, who finiſhed his Days by a Glorious Martyrdom for the Cauſe of Jeſus Chriſt, during the Perſecution of *Decius*, about the year of Chriſt 250. Pope *Fabian*, I ſay, Eſtabliſhed perſons to Collect the Acts of Martyrs, as is to be ſeen in the Pontifical Book commonly attributed to *Damaſus*; and it may truly be ſaid, this was the prin-

Tom. 1. Concil. p. 113.

principal ſubject our Diſcipline aimed at in the Article which we Examine, as appears by this Eſtabliſhment of the National Synod of *Privas*, in the year 1612. *The Provinces ſhall be exhorted carefully to recollect the Hiſtories of Paſtors, and other Believers, which in theſe laſt times have ſuffer'd for the Truth of the Son of God; and ſuch Memoirs ſhall be ſent to* Geneva *to be made publick.*

Ubi ſupra. p. 30. In the ſame Pontifical of *Damaſus*, which I but now ſpoke of, it is obſerv'd, That St. *Clement*, Diſciple of the Apoſtles, had a long time before *Fabian*, divided the ſeven quarters of the City of *Rome*, to ſeven faithful perſons of the Church, that each might exactly enquire in his Diſtrict, the Acts of Martyrs, in the number of which

Ib. p. 110. he was put himſelf, about the year our Lord 100. Pope *Anterus*, Predeceſſor to *Fabian*, did near-hand the ſame as was done by *Clement*: But if that was done in the Church of *Rome*, it was alſo practiſed in divers others. St. *Cyprian* teſtifies, it was practiſed by that of *Africa*, in his 37th Epiſtle, where he ordains, That the Day of the Death of Martyrs ſhould be taken account of, to the end to celebrate their Memory. It is in this regard *Tertullian* ſpeaks, *des Faſtes*, of the Feaſts of the Church; and

De Coron. c. 13. the Letter of the Church of *Smyrna*, touching the Martyrdom of St. *Pollycarp*, gives us alſo a proof of the thing now in queſtion, and which ought to be looked upon as the Original of what we call Martyrologies, which comprehend not the Martyrs of one Church only, but generally of all, as can be diſcover'd, in which 'tis thought *Euſebius* firſt laboured.

CHAP.

CHAP. VI.

Of the Union of Churches.

ARTICLE I.

NO Church can pretend Precedencie nor Domination over another, nor one Province over another.

CONFORMITY.

Let the Reader ſee what I have ſaid already on the Sixteen and Eighteen Articles of the firſt Chap. where he will find this Article Eſtabliſhed, and its conformity to the ancient Cannons.

II.

No Church can tranſact any matter of great conſequence, wherein the Intereſt or Dammage of other Churches may be concern'd, without the advice of the Provincial Synod, if it be poſſible to aſſemble it, and if the matter be preſſing, it ſhall communicate and have the advice of the other Churches of the Provinces, at leaſt by Letters.

CONFORMITY.

This Second Article is alſo very conformable to the Antient Diſcipline, according to which, the Affairs of each Province were adminiſtred by the Provincial Synods, it is partly the Subject of the Second Cannon of the Firſt Oecumenical Council of *Conſtantinople*, *That the Synod of the Province adminiſter all things which concern the Province, as it hath been agreed on at* Nice. That

is to ſay, in the VI. Canon of the Great Council which was held in that City under the Emperor *Conſtantine*, and which *ordained to preſerve to each Province their Priviledges* : According to which, if there hapned diſpute about any point of Doctrine or Diſcipline which regarded Chriſtians in general, it would not be decided, but by a general Univerſal Council, that is to ſay, by a Council compos'd of Biſhops of the Five Patriarchs, within the compaſs whereof were incloſed the Chriſtians of the *Roman* Empire.

In Append. To. 8.

Thence it is that the Frier *Maximus* in *Barronius*, acknowledged no Legitimate Council, unleſs it has a Circular Letter made by conſent of the Patriarchs. *John Damacen* writes, *That ought to be eſteem'd an Oecumenical Council which the five Patriarchs have once appointed, and made Declaration of*: *But if there wants any one Patriarch, or that he refuſes to ſubmit thereunto, it ſhall not be a Council, but a perverſe Congregation, an Aſſembly of Pride, and Vanity* : It is alſo for the ſame reaſon Pope *Pelagius* the I, wrote in the VI. Century, *That if there ariſes doubt in any ones mind by occaſion of a Univerſal Synod, thoſe which are deſirous of their Salvation, muſt conſult the Apoſtolical See, to know the reaſon of what they do not underſtand.* In the Preliminaries of the Second Council of *Nice*, it is obſerved there were read ſome Writings of Synods which prohibited the aſſembling of Univerſal Councils, or at leaſt of holding them without the conſent of all the Patriarchs. *To.* V. *Con. p.* 518.

To. 2, Auct. Conc. f. p. 696.

In Collect. Rom. Part 1. p. 227.

III.

The Churches and particular Perſons ſhall be advertis'd not to ſeparate from the Sacred Union of the Body of the Church for any Perſecution as may happen, to procure to them-

themſelves any Peace or Liberty apart; thoſe which do otherwiſe, ſhall be ſenſur'd as the Colloques, and Synods ſhall think expedient.

CONFORMITY.

Partialities and Diviſions having been ever deſtructive to the Church, Union and Concord can never be too much recommended to thoſe which are Members of it, and which in this Quality are obliged inviolably to maintain Peace and Uniformity in Religion, as well in regard of Doctrine, as of Worſhip and Diſcipline: It is the Reaſon for which the Antient Fathers have alwaies abhorred Schiſm, and have vigorouſly acted againſt Schiſmaticks, particularly againſt the *Novatians*, and *Donatiſts*, which cruelly rent and tore the Unity of the Church.

IV.

The Diſputes of Religion with Adverſaries ſhall be order'd in ſuch ſort, that ours ſhall not be Agreſſors; and if they are ingaged in a verbal Diſpute, they ſhall do it but by the Rule of the Holy Scriptures, not giving too much way to Writings of Antient Doctors for Judging and Deciding of Doctrines; and ſhall not enter into Regular Diſputes but by Writings mutually given and ſign'd. And as for publick Diſputes, ſhall not ingage therein but by advice of their Conſiſtory, and a certain number of Paſtors, which to this purpoſe ſhall be choſen by the Colloques or Provincial Synods. Shall not ingage in any general Diſpute or Conference without the Advice of all the Churches aſſembled in a National Synod, on pain of the Miniſters which ſhall therein enter, to be declar'd Apoſtates, and Deſerters of the Unity of the Church.

CONFORMITY.

There is found in the Writings of the Holy Fathers ſundry Diſputes which the Catholick and Orthodox Doctors have had againſt the Enemies of the Truth; We have in the Second Century the famous Diſpute of St. *Juſtin Martyr* againſt *Tryphon* the *Jew*, who was the Agreſſor. *Euſebius* makes mention of another Diſpute which hapned at *Ancyra* a City in *Gallatia* towards the end of the ſame Century, betwixt a Catholick Doctor, and ſome of the Sect of *Montanus*. In the Third Century *Malchus* a Prieſt of the Church of *Antioch*, Diſputed earneſtly againſt *Paul* of *Samoſatia*, Biſhop of the Place, and confounded him in a Regular Diſpute, the particulars of which was to be ſeen in the time of *Euſebius*, they having been collected by Perſons nominated to write what ſhould be alleadged on both parts. In the ſame Century was ſeen another famous Diſpute betwixt *Archelaus* Biſhop of *Meſopotamia*, and the Heretick *Manes*, in the Houſe of a Perſon of Quality called *Marcellus*, in the City of *Caſchara*, in preſence of the chief Inhabitants of the place, four of which although *Pagans*, were choſen Arbitors, and judged the Victory to *Archelaus*: This Diſpute has been printed in *Latin* ſome years paſt at the end of the Late Mounſieur *Valois* his Notes on the Eccleſiaſtical Hiſtory of *Socrates* and *Zozomen*, and St. *Epiphanius* treats amply of it in the Hereſie of the *Manicheans*, which is the Sixty Sixth. I may inſtance in ſeveral Diſputes, principally thoſe of St. *Auſtins* againſt ſundry Adverſaries, but what I have ſaid ſufficiently juſtifies, that the Order of our Diſcipline don't differ from the Practice of the Antient Church, although it appoints ſomething more of caution

in

in the manner of Diſputing, by reaſon of the way of our former and preſent circumſtances of living amongſt our Enemies in this Kingdom.

V.

The Churches ſhould underſtand that the Eccleſiaſtical Aſſemblies of Colloques, and Synods, as well Provincial as National are the Bands and Supports of Union and Concord, againſt the Schiſms, Hereſies, and all other inconvenients, to the end they ſhould uſe all endeavour, and apply themſelves by all means, that the ſaid Eccleſiaſtical Aſſemblies may be continued and maintained, and in caſe ſome Churches and particular Perſons, would not contribute to the Charges needful to be preſent at the Eccleſiaſtical Aſſemblies, ſuch ſhall be ſurely cenſur'd, as Deſerters of the Holy Communion which ſhould be amongſt us. The Miniſter alſo which ſhall not promote what is above contained, ſhall be grievouſly cenſur'd by the Provincial Synod.

CONFORMITY.

There is nothing in all the Antient Diſcipline which is more ſtrictly enjoyn'd than the holding of Synods, where the Conductors of Churches were obliged to be, as ſhall be ſhewn on the Eighth chap. and where by conſequence, they were to go at the charge of the Churches which they ſerv'd; this is collected from the Eighteen Cannon of the Third Council of *Toledo* aſſembled in the Year of Our Lord, 589; for it ordains, that inſtead of aſſembling in Synods twice a year according to the Order of the Cannons, they ſhall aſſemble but once, *by reaſon of the poverty of the Churches of* Spain. Tom. 4. Conc. p. 405.

CHAP.

CHAP. VII.

Of COLLOQUES.

ARTICLE I.

IN each Province there ſhall be a Diviſion of Churches, according to the Number of them, and the conveniencie of Places, into Claſſes, or Colloques, the moſt contiguous. And this Partition ſhall be made by Authority of the Provincial Synod. And the Neighbour Churches ſhall ſo aſſemble in Colloques, twice a year, or four times a year, if it may be done, according to the Antient Cuſtom, this being referred to the diſcretion of Provinces, and there the Miniſters ſhall meet with one Elder of each Church.

CONFORMITY.

Tom. 1. Conc. Gall.

Our Colloques do in a manner agree with the *Dioceſan* Synods of each Biſhop, like that of *Anacharius* Biſhop of *Auxer*, in the year 578; or to the Aſſemblies of ſome Neighbouring Biſhops, to decide the Differences which hapned in the adjacent Parts, it is to what do amount the Cannons 11, 20, 28, 125. Of the *African* Code of Mr. *Juſtel*; However it be, it appears by the 100 Cannon of the ſame Code, that the Eccleſiaſtical Elders, and of the Order of *Layicks*, aſſiſted at theſe ſort of Judgments; I know not but *Firmillian* Biſhop of *Ceſaria* in *Cappadocia*, had this Cuſtom in his mind when he wrote to St. *Cyprian*, *We do meet every Year, Paſtors and Elders, to regulate the things committed to our care.*

Apud Cypr. *contrà* Steph. *pag.* 144.

II. *Such*

II.

Such Aſſemblies and Colloques ſhall be held to conſider and compoſe Differences which ſhall happen in the ſaid Churches, as is appointed by the Diſcipline; and generally to provide for what ſhall be known to be Expedient and Neceſſary for the good and ſupport of the Churches.

CONFORMITY.

To this Second Article may be apply'd the Cannons of the *African* Code which I cited on the firſt, and alſo joyn thereto the Fifth Cannon of the Council of *Nice*, by which we find that one of the Motives of the Convocation of Eccleſiaſtical Aſſemblies, was to appeaſe Differences, and to preſerve Unity and Concord; The Twentith of the Synod of *Antioch* tends to the ſame end.

III.

There alſo Miniſters ſhall Preach the Word of God, every one by his turn, to the end it may be known what care every one takes in exerciſing himſelf in the Study of the Holy Scriptures, and in the Method and Form of treating of it.

CONFORMITY.

Miniſters being Eſtabliſhed for inſtructing of their Flocks, it is the Duty of their Superiours to take cogniſance of their Conduct, and of the progreſs they make in the Study of Divinity, and becauſe it may be judged by their Preaching, our Diſcipline has very well appointed, That Miniſters ſhall Expound the Word of God every one by turns, in the Colloques.

IV.

IV.

The Authority of Colloques is inferiour to that of Provincial Synods, as thoſe of Conſiſtories are to Colloques.

CONFORMITY.

It appears by the 21 and 125 Cannons of the *African* Code, that Appeals might be made from the Judgment of Neighbouring Biſhops, whoſe Aſſemblies were much the ſame of Colloques: It appears I ſay, that Appeals might be made to the Councils of *Africa*, or to the Primates of their Provinces; And it was by the Eſtabliſhment of the ſame Diſcipline, That Appeal was made from a Provincial Synod, to a greater Synod, ſuch as was the Council of all the Provinces of a Dioceſs. It is juſt what is preſcribed by the Antient Cannons, as the XII. of *Antioch*, the VI. of the firſt General of *Conſtantinople*, the IX. and XVII. of that of *Calcedon*.

V.

The Colloques and Synods ſhall deliberate of limiting the Extent of Places wherein each Miniſter ſhall Exerciſe his Miniſtry.

CONFORMITY.

This Eſtabliſhment is alſo very conformable to the Antient Diſcipline of Chriſtians, according to which the Synod took cogniſance of the Juriſdiction of Biſhops and of its Extent, as alſo of the places where they were to Exerciſe their Miniſtry; from thence proceeds all the Prohibitions made them of undertaking nothing without

out the bounds preſcribed them, as has been ſhewn on the firſt Chapter.

VI.

At the end of the Colloques amicable and brotherly Senſures ſhall be made, as well by the Paſtors as the Elders, which ſhall be there preſent, of all things which ſhall be thought fit to repreſent to them.

CONFORMITY.

The Fourth Council of *Orleans* in the Year 541. made a Rule like this in the 37 Cannon, which requires that Metropolitans ſhould once a year aſſemble their Synods, to the end that whilſt the Brethren are aſſembled, the needful Senſures ſhould be made with Charity, which is alſo verified by the principal Motive of convocating this Aſſembly, which was as I juſt now ſaid, to determine all Differences, and to appeaſe all Quarrels and Conteſts.

CHAP. VIII.

Of PROVINCIAL SYNODS.

ARTICLE I.

IN each Province, the Paſtors of each Church ſhall aſſemble once a Year, or twice, as they may, which is referred to the Prudence and Diſcretion of the Synod.

CONFORMITY.

Chriſtians have ever eſteemed Synods ſo neceſſary, that they have been very careful to aſſemble them when the good of the Church required it; for as *Euſebius* ſaith in the 51 chap. of the Book of the Life of *Conſtantine*, *Great Controverſies cannot be determin'd but by Synods*: At the beginning, and even during the heat of Perſecution, when there arrived any trouble in a particular Church, all the others concern'd themſelves in it, and the Miniſters by a meer movement of Charity, and without any form of Convocation, aſſembled of themſelves, to make Peace, and to compoſe Differences: And in theſe Aſſemblies Humane Paſſions being baniſhed, and Jeſus Chriſt there preſiding by his Holy Spirit, they conſulted together, and reſolv'd without Ceremonies and Formalities, what was expedient. It is much after this Method they proceeded againſt *Paul* of *Samoſatia* Biſhop of *Antioch*, when he had publiſhed his Impiety, the Paſtors of Churches as *Euſebius* ſaith, being run thither from all parts, as againſt an Enemy, which deſtroy'd the Flock of Chriſt. And I can't tell if the Synod of *Iconia* in *Phrygia* mentioned by *Fermillian* Biſhop of *Cæſaria* in *Cappadocia*, was not of the ſame kind of thoſe held againſt *Paul* of *Samoſatia* in the ſame Century; for he ſaith, they were aſſembled in that place, from *Gallacia*, *Cilicia*, and other adjacent Provinces, to confirm what had already been concluded touching the reiteration of the Baptiſm of Hereticks.

Euſeb. Hiſt. lib. 7. c. 27, 28, 29.

Apud Cypr. *contr.* Ep. Steph. p. 146.

But what Biſhops did at firſt by a principle of Charity, they were in time obliged to do alſo by Duty, the Cannons requiring it of them: In effect the V. Cannon of the Firſt Council of *Nice*, appoints to hold Synods twice

twice a year in each Province. The Twentieth of the Council of *Antioch* renews the ſame Decree, and thence it is undoubtedly that him which forged the Cannons of the Apoſtles, borrowed the 37, which contains the ſame Eſtabliſhment. The Nineteenth of *Chalcedon* having complained that in the Provinces was not celebrated the Synods preſcribed by the Cannons, it appoints they be held twice a year, conformable to the Decrees of the Holy Fathers. There's a number of other Cannons which preſcribe the ſame thing, and which I forbear to alleage, to obſerve two things which concern the matter which we examine; the firſt, that *Auitus* Biſhop of *Vienna* in *Dauphine*, which flouriſhed about the end of the V. Century, and at the beginning of the VI, endeavour'd to reſtore the Antient Cuſtom which inſenſibly was left off, as he doth teſtifie in his 80 Letter. It may be thought that the Synod of *Ries* in *Province* had given ſome ſlight endeavour to the firſt practice, in the year 439, when it confirms it in the Eighth Cannon, but under condition, that times were quiet: That of *Orange* explains it ſelf fuller in the year 441, Cannon 29, ſaying, it was difficult to aſſemble twice a year, by reaſon of ſad and difficult times. The Second thing I mean to obſerve is, That the Synod of *Agde* in *Languedock* made a Decree in the 71 Cannon, by which it reduces theſe Synodal Aſſemblies to hold once a year, and it declares in the ſame Cannon, which is of the year 506, that it does ſo according to the conſtitution of the Fathers; having reſpect it may be to the Cannons of *Orange* and *Ries*, but juſt now cited. The 37 of the 4 of *Orleans* of the year 541, the 23 and [illegible], of the year 549 on the ſame with that of *Agde*. And the 18 of the 3 of *Tolledo*, alleges for a reaſon in the year 589, the length of the way, and poverty of the Churches. *To.* 4, *Conc. pa.* 505, 506.

Tom. conc. Gal. *p.* 69. Ibid. *p.* 74.

Ibid. *p.* 173. Ib. *p.* 268, 284.

II.

Miniſters ſhall bring along with them one or two Elders at the moſt, choſen by the Conſiſtory, and the ſaid Miniſters and Elders ſhall ſhew their Deputations. If a Miniſter comes alone, no heed ſhall be taken of the Certificates he brings along with him, no more than there ſhall be of thoſe an Elder ſhall produce if he comes alone without a Paſtor; which Rule ſhall be of force in all Eccleſiaſtical Aſſemblies: If they cannot come, they ſhall make their excuſe by Letters, of the which the Brethren there preſent ſhall be Judges, and ſhall ſend their Memoirs ſigned by a Paſtor, and an Elder. Thoſe who ſhall fail of being preſent at Colloques, and at Provincial Synods without lawful Excuſe, ſhall be cenſur'd, and the ſaid Colloques and Provincial Synods, may finally judge their Cauſe, and diſpoſe of their Perſons.

CONFORMITY.

There are in this Eſtabliſhment ſeveral things to be conſider'd, in the firſt place, the deputing of our Elders with the Paſtors to Synods, which is very agreeable to the practice of the Antient Church, which admitted the Layity into their Synods after the Example of the Apoſtles, who in the Synod of *Jeruſalem* make mention of the Church, in diſtinguiſhing it not only from themſelves, but alſo from ordinary Perſons, which they deſign by the term of *Elders*, *Acts* 15. 22. to ſhew, that by the Church they meant the faithful People which aſſiſted at that Holy Aſſembly, according to which, the Fathers in the Council of *Antioch*, diſtinguiſhes alſo the Churches of God, from Biſhops, Prieſts and Deacons, in the Letter wrote to *Dennis* Biſhop of *Rome*, to *Maximus*

Apud Euſeb. l. 7. c. 30.

mus Biſhop of *Alexandria*, and to all the Churches to inform them of the depoſing of this Arch Heretick; not that 'tis neceſſary to think that the intire Churches aſſiſted at this Council which was aſſembled from ſundry Provinces, but they aſſiſted by ſome of their Body which repreſented them, that is, by ſome of the Body of the People. But to ſay ſomething more to the purpoſe, I have ſhewn on the Firſt Article of the Third chap. by Authority of *Fermillian*, and of the *African* Code, that the Elders, ſuch as ours, were deputed to Synods with the Paſtors, againſt whom they ſometimes pleaded the right of the People which deputed them.

The Second thing I obſerve on this Article is, that the Deputies to Synods are obliged to be preſent there, or to excuſe themſelves by Letter; And if their Excuſe be not ſufficient, they are cenſur'd as ſhall be thought fit in the Colloques, and in the Provincial Synods, which have power to judge definitively of their Excuſes, and to diſpoſe of their Perſons, which alſo is according to the practice of the Primitive Chriſtians, the Fortieth Cannon of the Council of *Laodicea* is conceiv'd in theſe terms, *The Biſhops which are called to a Synod muſt not neglect to go thither, and if any one does neglect, he will condemn himſelf, unleſs ſome Sickneſs doth hinder him*: The 19*th* of *Calcedon* requires that one ſhould reprove in a brotherly way thoſe which fail of coming, although they are in good health, and that they are hindred by any extraordinary buſineſs which might not be deferr'd. In *France* no other Excuſe will be admitted, but that of Sickneſs, as appears by a great many Cannons, and amongſt others by that of the Firſt of *Epaume*, by the 1 of the 2 of *Orleans*, by the 80 Letter of *Anitus* Biſhop of *Vienna*, and by ſeveral other Decrees which I forbear

to

to cite. The Council of *Agde* in the 35 Cannon joyns to Sickneſs, ſome command of the King, next to which, it deprives from the Communion of the Church till the next Synod, thoſe which have failed to be preſent at the former, and as it deprives them for that time from the Communion of the Church, it alſo deprives them from the Charity of their Brethren, that is, from the other Biſhops, to which the Council of *Tarragona* in the year 517, reduces in the VI. Cannon all the puniſhment of thoſe Biſhops which neglect to be preſent at the Synods where they have been called by the Metropolitans, and excuſes none but them which are hindred by Sickneſs. The 15 of the 11 of *Toledo* aſſembled *Anno* 575, Excommunicates them for one year, if they are not hinder'd by ſome Sickneſs, or by ſome inevitable neceſſity, the 76 of the *African* Code wills, That they ſhould be content with the Communion of their Church, the V. Cannon of the Council of *Merrida*, of which I will ſpeak on the 10 Article of the IX. chap. excuſes thoſe who are hindred by Sickneſs, or by Order of the Prince.

As to what our Diſcipline ſaith, That if the Paſtor comes alone, no heed ſhall be taken of the Memorials he ſhall bring, nor of thoſe the Elder brings if he comes without the Miniſter, it agrees not ill with what we read in the 100 Cannon of the *African* Code, where a Biſhop complains of his Church, but becauſe the Elders the Church had deputed, to defend its cauſe againſt the Biſhop, did not appear, the Council referr'd the Judgment of this Affair to a certain Number of Biſhops, whereof ſome were nominated by the Biſhop which was diſſatisfied with his Flock, and the reſt were left to be named by the Elders, although abſent. As for the Memorials whereof mention is made in this Article, more may be ſeen of it in what I ſhall ſay on the Third Article of the Ninth Chapter. III.

III.

Thoſe Churches which have ſeveral Miniſters, ſhall depute them by turns to Colloques, and Synods.

CONFORMITY.

This Article is grounded on that, That Miniſters may not pretend any Authority one over the other, as I have made appear on the Sixteenth Article of the Firſt Chapter, and having no Power one over another, it is abſolutely neceſſary that to maintain this equality, that when there are ſeveral in one and the ſame Church, they ſhould alternatively be deputed to Synods and Colloques.

IV.

Miniſters and Elders Deputed to Colloques, and Provincial Synods, ſhall come thither at the common charges of their Churches.

CONFORMITY.

I do not find that in the Firſt Centuries, conductors of Chriſtian Churches did obſerve much formality when they aſſembled for the deciding of any difference, all things were done with ſo much ſimplicity, Humane Paſſions being excluded, that every one ſpake as he was inſpired of God: Read what *Euſebius* relates of the Two Synods which were held in the Third Century againſt *Paul* of *Samoſatia*; and I am certain the marks of the ſimplicity I have now mentioned, will be found in them; but in proceſs of time Humane Paſſions being mingled Hiſt. l. 7. cap. 27, 28, 29.

mingled with Charity, 'twas neceſſary to Eſtabliſh ſome Methods in theſe Aſſemblies, and chooſe ſome one amongſt the Biſhops, to propoſe the matter which was to be deliberated, to gather the Voices, and moderate the whole Action, an Honour which was commonly conferr'd either to promotion, that is to ſay, to him that was the Eldeſt Miniſter, or to Perſonal Merit, by reaſon of ones great Learning, and ſometimes alſo for the greatneſs and eminency of the City whereof one was Biſhop. *Palmas* as the Eldeſt of the Biſhops of *Pontus*, preſided in a Synod which was there held, upon occaſion of celebrating *Eaſter*, as *Euſebius* relates in the 23 chap. of the Fifth Book of his Hiſtory. To this Example may be added what was done by *Leo* I. in the V. Century, in favour of *Leoncius* Biſhop of *Frejus* in the upper *Narbonnes*, had not the Paſſion which he expreſſed againſt *Hillary*, Biſhop of *Arles*, made him violate the Laws of Juſtice and Equity, in depriving him the right whereof he was juſtly in poſſeſſion, of aſſembling Synods, and which according to the Diſcipline of thoſe times belonged to his See, to inveſt *Leoncius* with it, becauſe he was the Eldeſt Biſhop of the Province; and about the year 397, the Firſt Council of *Turin* beſtowed on *Proclus* Biſhop of *Marſellis*, the precedence over the Biſhops of the Second *Narbonnes*, not ſo much in conſideration of the City whereof he was Biſhop, as in conſideration of his Age and Merit. In fine, the Eccleſiaſtical Government being wholly fram'd after the Model of the Civil, and Politick, this right of precedence was joyn'd in the out Provinces, to *Metropolitan* Biſhops, except the Churches of *Africa*, where this priviledge was conferr'd on Primates, and in that Countrey was called Primat, which had been firſt promoted to be Biſhop; for 'twas not to Age alone this Prerogative

Ep ad Epiſc. Provinc. Viennees

Tom. 1. Conc. Gall. p. 85.

Ibid. p. 27, 28.

tive was attributed, but to the time of promotion. Our Diſcipline which refers this to Election, does nothing differ from what was practis'd in the Antient Church before the Eſtabliſhing of Hierarchy, eſpecially when precedency was conferred on Perſons for their Merit, which could not be done but by plurality of Voices, becauſe for the moſt part, one Judges differently of the Merit of Men; and ſo 'tis St. *Athanaſius* expreſſes it in his Firſt Apology, that *Hoſius* was commonly the chief and Preſident of Synods, an Honour conferred on him for his great Merit, and perhaps to for his Age, as it was in the latter regard beſtow'd on.

For the underſtanding of this Article it is neceſſary to read what I have ſaid on the Fifth of the Sixth chap. to which may be added, that Synods having been inſtituted for the good and Edification of the Churches, it is more than reaſonable they ſhould be charged with the Expences needful to aſſiſt at thoſe Aſſemblies, eſpecially ſeeing the maintenance they allow to their Miniſters is ſo ſmall, that 'tis not ſufficient for their ſubſiſtance, as it often happens amongſt us.

V.

The Churches which ſhall refuſe to allow their Miniſters conveniencies for repairing to Colloques and Synods, ſhall be advertis'd to do what is fit, and in default thereof, ſo that Miniſters are conſtrain'd to go at their own charges, after two or three Admonitions, they ſhall be deprived of the Miniſtry, and the Expences made by the ſaid Miniſters, ſhall be repaid by the Churches to whom they were ſent, Liberty being given to have recourſe to the Ingrateful Church according to the Judgment which ſhall be given by the Provincial Synod.

CONFORMITY.

This Eſtabliſhment being a continuance of the former, what I have obſerved on that, may ſerve for a Commentary on this.

VI.

If there ſhould happen a difference betwixt a Church and the Paſtor, and that to compoſe it, the Church ſhall have been advertis'd two ſeveral times of the time and place of the Colloque, and Synod, and refuſes to attend, the ſaid Colloque, or Synod, notwithſtanding abſence of one of the Parties, may proceed on to Judgment.

CONFORMITY.

The Hundred Cannon of the *African* Code which I cited on the Second Article, do's Authoriſe this Eſtabliſhment, and juſtifies the Conformity of our Diſcipline with the Primitive.

VII.

In each Synod as well Provinial as National, ſhall be Elected with a ſlow Voice, by full conſent, one of the Paſtors to preſide, with one or two to write. His buſineſs ſhall be to govern and moderate the whole Seſſion, to adviſe of the Places, Dayes, and Hours, on which the Aſſembling and Sitting of the Synod ſhall hold, to propoſe and offer things that ſhall be in deliberation, to take, every ones Voice in particular, to declare the major part, and pronounce the Concluſion: Alſo to take care that every one ſpeaks by Order,

and

and not confuſedly; to impoſe Silence on ſuch as are contentious, and if they will not obey, to make them go out, to conſider of their Cenſure and Correction; to make Remonſtrances and Anſwers to thoſe which deſire Counſel, or that ſend Letters to the Synod. Moreover to preſide at the Cenſures which ſhall be made at the end of the ſitting, the whole according to the advice of all the Aſſembly, and no otherwiſe. And he himſelf alſo ſhall be ſubject to Cenſure, his Office ſhall expire at the end of the Synod, and it ſhall be at the choice of the following Synod, to Elect him or another. The Moderators alſo of Colloques, ſhall be govern'd after the ſame manner.

CONFORMITY.

The Great Council of *Nice* in the Sixth Cannon reſerves to each Province its Rights and Priviledges, that one might not intermeddle in the Affairs of the other, nor uſurp its Power, and Authority: To this Eſtabliſhment may be apply'd the Second and Sixth Cannons of the Firſt Oecumenical Council of *Conſtantinople*, the VIII. of *Epheſus*, the 9 and 17 of *Calcedon*, the 12 and 15 of *Antioch*, the 19, 28, and 125 of the *African* Code, with the Letter of the Council of *Africk* to Pope *Celeſtin*, in the ſame Code, in Number 138. St. *Cyprian* taught almoſt the ſame thing about 170 years before, as appears by his 55 Letter. *Theodoret* ſpeaks the ſame in his 86 Epiſtle in the Third Volumne of his Works, and 'tis on this practice the *Eaſtern* Biſhops grounded their complaints in the IV. Century againſt Pope *Julius* I. in that he had received St. *Athanaſius* into his Communion, and ſome others whom they had Excommunicated. Read what is related by *Zozomen* in the VIII. Chapter of the Third Book of his Eccleſiaſtical Hiſto-

ry; *Socrates* II. Book, chap. 15. and *Julius* his Anſwer in St. *Athanaſius* his Second Apology, to be perſwaded of the truth hereof; for the Letter writ by the *Eaſtern* Biſhops to *Julius* is not now Extant; that at preſent found in the firſt Volumne of the Councils being forg'd: and contains but a Collection ill put together of what the Authors I but now mention'd have writ.

It's true, our Diſcipline does except ſome caſes of which one may appeal to the National Synod, after Judgment given by Provincial Synods, but 'tis even therein appears its Conformity with the Ancient, provided the time be carefully diſtinguiſhed; before the Chriſtian World, which was bounded in the *Roman* Empire, had been divided after the Example of the Empire, into ſeveral Eccleſiaſtical Dioceſſes, each of which comprehended ſeveral Provinces, the whole extent of a Biſhops Juriſdiction, how great ſoever it was, made but one Eccleſiaſtical Province; For Example, In St. *Cyprians* time, all *Africa* made no more but the Eccleſiaſtical Province of the Biſhop of *Carthage*: And in the time of the Firſt Council of *Nice*, *Libia*, and *Pentapolis*, made up that of the Biſhop of *Alexandria*, and then 'twas requiſite Affairs ſhould be determin'd in the Provincial Synod without being permitted to appeal to the Synod of any other Province; It is what is depos'd by the Sixth Cannon of *Nice*, which confirms to the Biſhop of *Alexandria* what Cuſtom had given him Poſſeſſion of, that is to ſay, the Metropolitical Rights only, although the Patriarchal Rights alſo may be inferr'd from the ſame Cannon, by lawful conſequence, when he ſhall be in a ſtate to exerciſe them, that is to ſay, when his Province ſhall be divided into ſeveral Eccleſiaſtical Provinces, and that he ſhall have under him ſeveral Metropolitans, over which the chief of the Dioceſs

and

and the Patriarch had the same power, as Metropolitans had over the Bishops of their Provinces.

But after this Division into Dioceſſes, and of Dioceſſes into Provincial Eccleſiaſtical Provinces, each of which had a Metropolitan, had been made, which the firſt Univerſal Council of *Conſtantinople* began to Eſtabliſh, or it may be but to One *Muſonius* in the Council of *Rimini*, as St. *Jerom* teſtifies in his Dialogue againſt the *Luciferians*, chap. 7. where he obſerves this *Muſonius* was of the *Byzantine* Province, but inſtead of *Byzantine* it ſhould be *Byzancene*, which was a Province of *Africa*, wherein was the Dioceſs of this Prelate.

As for the part the Preſident or Moderator of the Synod ſhould take, to the end all things ſhould be done in the Aſſembly regularly and in Order, the XI. Council of *Toledo*, in the year 675 ordained in the Firſt Canon, the ſame Obſervations which the Authors of our Diſcipline here preſcribes, not forgetting thoſe which derogate from the Laws. Tom. 4. Conc. p. 820.

VIII.

Elders which are Deputies of Churches, ſhall have Votes as Miniſters, and the Elders of the place where the Synod is aſſembled may alſo be preſent, and propoſe any thing in their Order; Nevertheleſs but two of them ſhall have Vote, to avoid confuſion.

CONFORMITY.

After what I have writ on the Firſt Article of the Third Chapter, there's no difficulty in underſtanding of this; for the Deacon *Hillary* hath aſſur'd us nothing was done in the Church without the Counſel and Advice

vice of the Elders; and *Firmilian* Biſhop of *Cappadocia*, that the Prelates and Elders aſſembled once every year to order matters committed to their care, and with common conſent to treat of the greateſt and moſt important Affairs.

IX.

What ſhall be concluded upon by Provincial Synods for ordering the Churches of their Province, ſhall be communicated to the National Synod.

CONFORMITY.

The 95*th* Cannon of the Code of *Africa*, has a Conſtitution much like this, for it Ordains, that private Affairs ſhall be determin'd in the Provinces but as for the common and general, they refer the Knowledge and Deciſion of it to the General Council of *Africa*: Now 'tis moſt certain that what regards all the Churches of a Province, ought to be put in the Rank of General Affairs, the Deciſion whereof appertains to a National Synod.

X.

Becauſe ſeveral Perſons, to the end to decline or delay the ſenſure of their faults, appeal from one Eccleſiaſtical Aſſembly to another, even to a National Synod, which by this means is more perplexed in clearing their Caſe than any other, for the time to come, all differences within the ſame Province; ſhall be definitively judged without appeal to the Provincial Synod of that Province, except what ſhall concern the ſuſpending and depoſing as well of Paſtors, as of

Elders

Elders, and Deacons, and the changing of Pastors from one Province to another; also the changing of a Church from one Colloque to another, and also that which concerns Doctrin, the Sacraments, and the whole Discipline; all which cases may gradually move even to the National Synod, to receive the last and definitive Judgment.

CONFORMITY.

To Authorise what Custom had done in several Countreys, since the Council of *Nice*, at least it may seem to be so infer'd from the Cannons of the Synod of *Antioch* in the year 341, Forty years before that of *Constantinople*. Afterwards I say, it is certain, Appeal was made from Judgment of Provincial Synods to Councils of the whole Dioceſs, for the greater part of the heads contain'd in our Diſcipline, as is verified by moſt of the Cannons I have but now cited, particularly by thoſe of *Conſtantinople*, of *Calcedonia*, and of the *African* Code, with the 95*th* of the ſame Code, to which may be joyned the Third Cannon of the Fourth Council of *Toleda*, aſſembled in the year 633. *To.* 4. *Conc. pag.* 582.

XL.

If there ſhould happen a difference betwixt two Provincial Synods, they muſt pitch on a third to reconcile them.

CONFORMITY.

This Eſtabliſhment don't diſagree with the 14 Cannon of the Synod of *Antioch*, which is conceiv'd in theſe terms, *If after Judgment be given againſt a Biſhop accuſed of certain Crimes, it ſo falls out that the Biſhops of the Pro-*

Province are upon this ſcore in different minds, ſome declaring him Innocent, and others guilty; the Synod to put an end to their Conteſts is of Opinion that the Metropolitan ſhall call other Judges of the next Province to decide the difference; and that he confirms what they ſhall have concluded upon, with the Biſhops of the Province. It's true, this Cannon don't ſpeak of differences which two Provincial Synods might have together: But ſeeing the Council allows to call Neighbouring Biſhops, when thoſe of the Province are at variance about a buſineſs, wherefore ſhould it not permit two Provincial Synods to chooſe a third to judge of their differences, the Firſt and Second Cannon of the Council of *Turin* in the Year 397, are yet more poſitive in this matter.

XII.

The Synods in each Province ſhall repreſent the Widows and Children of Miniſters which died in the Service of their Church, to be ſupported and maintained at the common charge of each Province, as neceſſity ſhall require. And where the Province ſhall be Ingrateful, the Deputy thereof ſhall report it to the National Synod to take care therein.

CONFORMITY.

This Article is not only grounded on Chriſtian Charity, but alſo on the acknowledgment which the Churches owe to Miniſters dead in their Service, whereof they ſhould ſhew the marks to their Families, eſpecially when there is occaſion for it.

XIII.

XIII.

Deputies of Churches ſhall not be gone from Synods without leave, and till they carry along with them the Deciſions which ſhall there be made.

CONFORMITY.

There are two things to be conſider'd in this Article, Firſt, That Deputies are not ſuffer'd to depart from the Synod without leave; The Second Council of *Arles* made this Decree in its 19 Cannon, *Anno Dom.* 452, *If any one thinks he may abandon the Aſſembly of his Brethren before the diſſolution of the Council, let him know that he is deprived of the Communion of his Brethren, and that he cannot be thereunto received, until he be firſt of all abſolv'd in the following Synod:* There may be ſeen in the Fourth Tome of Councils, certain Fragments attributed to a Council of *Sevil* in *Spain*, aſſembled about the time of Pope *Gregory* the I. in the X. of which is to be found word for word the Decree of the Synod of *Arles*; which makes me believe, that *Burchardus*, from whom *Garſias* has taken this Cannon, was miſtaken when he attributed it to the Council of *Sevil*, and I the rather believe it, when I conſider that the compilation of Cannons made by this Writer, are full of this kind of miſtakes. The Fourth Council of *Toledo* aſſembled in the year 633, does defend alſo in the Fourth Cannon, to depart from the Council until all things are decided by the major Votes, and Signed by all the Biſhops; The Sixteenth of that of *Worms* of the year 868, preſcribes the ſame thing. *To. 6. Conc. pag.* 695.

Tom. 1. Conc. Gall. p. 105.

pag. 521.

Tom. 4. Conc. p. 583.

The Second thing our Diſcipline preſcribes thoſe which are Deputies to Synods, is to carry along with them the Deciſions which ſhall be made; I find the ſame thing practic'd in the Antient Church; in Effect, it may be ſeen by the 29*th* Cannon of the Firſt Council of *Orange* in the year 451, that each Biſhop carried away with him a Copy of the Acts and Reſolutions made in the Aſſembly, and that the like was ſent even to thoſe as were abſent, to advertiſe them of their Duty by the Miniſtry of the Metropolitan; and in the year 431, the Firſt Oecumenical Council of *Epheſus* permitted each Metropolitan to take a Copy of the Acts, whereof his Brother Biſhops might have Communication by his means. The Eighth Cannon where this power is granted to Metropolitans, ſaying expreſly that it is for their own ſurety, that is to ſay, for Conſervation of the Rights of their Provinces, and by conſequence the Rights of all the Suffragan Biſhops. See what ſhall be ſaid on the Tenth Article of the following Chapter.

XIV.

The Authority of Provincial Synods, is inferiour to that of National Synods.

CONFORMITY.

There is no difficulty at all in this Conſtitution, eſpecially after what we have obſerved on the Tenth Article, where I have prov'd by the Authority of ſeveral Cannons of *Conſtantinople*, of *Calcedon*, and the *African* Code, that Appeals were made from Provincial Synods to thoſe of the whole Dioceſs, to which our National ones at this time do agree.

XV.

XV.

Colloques, and Provincial Synods ſhall be regulated according to the ſeveral Governments, ſo that one may not pretend to be greater than another; and for the preſent, this ſhall be the Diſtribution of Provincial Synods.

1 *The Iſle of* France, *Country of* Chartrain, Piccardy, Champagne, *and* Brie.
2 Normandy,
3 Brittany,
4 Orleans, Bleſois, Dunois, Nivernois, Berry, Bourbonnois, *and* La Marche.
5 Tourain, Anjou, Loudunois, Le Maine, Vandomois, *and* le Perche.
6 *Upper and Lower* Poictou.
7 Zantonge, Aunis, *City and Government of* Rochell, Angoulmois.
8 *Lower* Guyen, Perrigord, Gaſcogne, *and* Limoſin.
9 *Upper and Lower* Vivarez, *with the* Uclay *and* Foreſt.
10 *Lower* Languedock, *viz.* Nimes, Uſez, Montpelier, *to* Beziers *incluſively.*
11 *The reſt of* Languedock, *Upper* Guyen, Tholouſe, Carcaſſona, Quercy, Rouergue, Armagnack, *Upper* Auvergne.
12 Bourgundy, Lyonnois, Beaujolois, Breſſe, *Low* Auvergne, Gex.
13 Provence.
14 Dauphine, *and the Principality of* Orange.
15 *The Churches of the Soveraignty of* Bearn.
16 *The* Sevennes *and* Givaudan.

If it ſo falls out for the convenience of Churches that one or two ſhould be parted, or to unite ſeveral in one, it may be done in the Provincial Synod, whereof notice ſhall be given to the National Synods.

CONFORMITY.

Thoſe who pleaſe to read the Second Cannon of the Firſt Univerſal Council of *Conſtantinople*, and the Eighth of that of *Epheſus*, will eaſily perceive our Diſcipline agrees exactly with the practice of the Primitive Chriſtians. And as for the dividing one Church into two, or joyning ſeveral into one, when neceſſity requires, there is Examples to be ſeen in Antient Records; As for joyning ſeveral into one, the Eighth Letter of the Second Book of *Gregory* the Great, gives us an Example, and the Fathers of the Sixteenth Council of *Toledo*, *An.* 693, in the V. Cannon, Authoriſes the joyning, and dividing, and declares alſo in what manner it muſt be done. The Emperour *Charles* the Bald in his Capitularies, *Anno* 844, gives power to the Biſhops to divide a Church into two, when the Neceſſity and Edification of the People require it, and if it gives them power to divide Churches, there's no queſtion to be made but it gives them power alſo to join ſeveral in one, for good and lawful cauſes. In proceſs of time the Popes have aſſumed to themſelves this power of Joyning and Dividing Churches, although in *France* they are not permitted to exerciſe it without the conſent of our Kings, as the late Mr. *de Marca* has well obſerved in the Thirteenth chap. of the Fourth Book of the Liberties of the *Gallican* Church, where he treats of theſe matters.

Tom. 5. Conc. p. 430.

Tom. 2. capit c. 7. p. 23. *Edit.* Balux. 1677

XVI.

XVI.

A Miniſter deputed by a Provincial Synod to go to a Synod, or Colloque, of another Province for ſome publick Affairs, may have a deliberative Vote, and that not only for the buſineſs he is come about, but alſo during the whole ſitting, if his partitular Affair be not in agitation.

CONFORMITY.

I do not think any need queſtion but the ſame thing was practis'd in the Primitive Church, at leaſt it may be collected from the Synod of *Turin* aſſembled *Anno Dom.* 397, at the requeſt of the Biſhops of *France*; beſides that the Synods which are the Maſters of theſe things, may diſpoſe them as they pleaſe. Tom. 1. Conc. Gall. p. 27.

CHAP. IX.

Of NATIONAL SYNODS.

ARTICLE I.

NAtional Synods ſhall be called once a Year, if poſſible may be, And this Rule ſhall be obſerv'd for the Convocation, that at the end of every National Synod, a Province ſhall be choſen which ſhall have the charge to aſſign to the others, the time and place of the next Synod.

CON-

CONFORMITY.

Tom. 1. Conc. p. 710. The Third Council of *Carthage* in the Year of our Lord 397; Ordains in the Hundreth Cannon, That the General Council of *Africa* be aſſembled once a Year, to which all the Provinces that have Primates are to ſend their Deputies, to the end nothing ſhould be wanting to the Authority of ſuch an Aſſembly. The Seventh Cannon alſo makes mention of ſuch a General Council, which was aſſembled once a Year, And the Eighteenth of the *African* Code contains in ſubſtance the ſame Decree, And in the Nineteenth there is mention made of the Univerſal Council which was held every year. The Third Council of *Tolledo* which was thought was held in the year of Chriſt 589, was compos'd of all the Biſhops of *Spain* and of *Gallicia*, that is to ſay, it was a National Synod; And as I conceive, it is to theſe ſorts of Aſſemblies which the latter part of the Eighteenth Cannon of the ſame place muſt be referr'd, And before that time Pope *Leo* the Firſt in his Ninety Third Epiſtle ſpeaks of the Celebration of a General Council in *Spain*; however it be, Our Diſcipline which requires National Synods to be aſſembled from year to year, does nevertheleſs add this condition to its Ordinance, *if it may be done*; The Biſhops of *Africa* which were wont, as has been ſhewn, to call yearly a General Synod of the whole Nation, or as they alſo term it, *a Plenary Council*, found in time, that it was a thing not to be done without giving too much pains and trouble to the Biſhops; therefore they concluded not to aſſemble it but in caſe of Neceſſity; that is to ſay, when the common Laws of all the Churches of *Africa* obliged them to do it. The Fourth Council

Tom. 4. Conc. p. 493. & 56.

Cod. Afric. can. 55.

of

of *Toledo*, which was National, and which was aſſembled in the year of our Lord 633, declares in the Third Cannon, That theſe National Synods ſhould not be aſſembled, but when there was Queſtion of matter of Faith, or of ſome other buſineſs wherein all the Churches of the Nation were concern'd. Tom. 4. Conc. p. 582.

The Article we examine demands yet another thing which we muſt not paſs under Silence, to wit, That at the end of each National Synod, ſome one Province ſhould be appointed to aſſign to the reſt, the time and place of the following Synod, which amounts neer hand to what the Firſt Council of *Orange* Ordained *Anno Dom.* 441, in the Twenty Ninth Cannon, *That a Synod ſhould not break up till they had aſſign'd another* : The Eighteenth Cannon of the Third Council of *Toledo*, of which we ſpake before, preſcribes the ſame thing, and it may be alſo the 73 of the *African* Code, and it appears by the 95*th* Cannon that the Church of *Carthage* cauſed to be convocated the National Synods of *Africa* as occaſion required. Tom. 1. Conc. Gal. p. 74.

II.

If there happens any difficulty in a Province, it ſhall take care to give notice of it to the Province that ſhall be entruſted with the care of making the Convocation, to the end that this calling the ſaid Aſſembly, might alſo give notice of it to the other Provinces, that ſo by this means, every one may come to the Synod ready prepared to judge the matter.

CONFORMITY.

It appears by the relation of *Euſebius*, of the Synods where *Paul* of *Samoſatia* was depos'd, and his Hereſie Ana- Hiſt. lib. 7. cap. 27, 30.

Anathematiz'd, It appears, I ſay, That the Provinces gave each other Notice of the Affairs which ſhould be debated in ſome of them, and which could not be determin'd but in a Council.

III.

And becauſe it is difficult at this time, and even dangerous to aſſemble a National Synod in ſo great a Number of Miniſters and Elders, it has been thought fit for the preſent, and during ſuch difficulties, that the Brethren aſſembled in each Provincial Synod, chooſe two Miniſters and two Elders, the moſt Experienc'd in Church Affairs, to ſend thither in the Name of the whole Province; and theſe Deputies ſhall come with ſufficient teſtimonies, and bring good Memorials ſigned by the Moderator and Scribe of the Provincial Synod, and that no default might happen, three or four Paſtors, and ſo many Elders ſhall be nominated, that if the firſt nam'd are hindred from making the Journey, there might be others to ſupply their place.

CONFORMITY.

The Third Council of *Carthage* aſſembled *Anno Dom.* 397, reduces the Deputies to the number of Three in the Second Cannon. The Eighteenth of the Code of *Africa*, which is in ſubſtance all one with that of *Carthage* but now cited, ſpeaks of Two Deputies, referring it nevertheleſs to the Liberty of the Provinces to ſend a greater Number; The 76*th* of the ſame Code makes mention in general of thoſe which ſhall be choſen by the Provincial Synods to aſſiſt at the National Synods, but they agree all in one thing, that in each Province ſhould be choſen thoſe which were to meet at the National Synod,

Cod. African. p. 402. 403. 404.

Synod. As for the Memorials and Inſtructions the Deputies were to bring along with them, there's frequent mention made of them in the Antient Diſcipline under the name of *Communitorium*, of which mention is made four ſeveral times in the Letter of the Council of *Africa* to Pope *Boniface*, and often elſewhere. The Council of *Merida* which I cited on the X Article, preſcribes ſo, in the V. Cannon, and calls it Inſtructions.

IV.

To the Miniſters and Elders Deputed to the National Synod, the Provincial Synods ſhall limit no certain time for their return, but ſhall permit them to ſtay at the ſaid Synod, as long as occaſion ſhall require, and the ſaid Deputies ſhall travel at the common charge of the whole Province.

CONFORMITY.

The Provincial Synods being inferiour to National ones, they cannot limit time to their Deputies at a National Synod, where they are obliged to attend till the end of the Aſſembly, which is very uniform to the Antient Diſcipline, according to which it was not ſuffer'd to depart before the Council brake up, as we have proved on the XIII Article of the foregoing Chapter.

V.

At the beginning of National Synods, the Confeſſion of Faith, and the Diſcipline ſhall be Read.

CONFORMITY.

To. 1. conc. pag. 660. Tom. 2. pag. 240. Tom. 3. pag. 337, 338 339.

In the Antient Councils, was read and confirm'd the Confeſſions of Faith which was believed in the Church, ſo it was practis'd by the Univerſal Council of *Conſtantinople* in regard of the Confeſſion of Faith of the Council of Nice; the ſame Symbol was read in the firſt Action of the firſt Council of *Epheſus*, and the Council of *Calcedon* renews and confirms the Symbols of *Nice*, and *Conſtantinople*, the Copies whereof was produced, and moreover approved all that was eſtabliſh'd at *Epheſus* againſt *Neſtorius*, in the year 431.

As for Reading the Canons which contained the Diſcipline of thoſe times, it may plainly be collected from the firſt Cannon of the Council of *Calcedon*, which appoints to obſerve all the Cannons which had been formerly made, and the 4th. of the 4th. of *Toledo*, *Anno Dom.* 633. do's formally command the reading of them. See what I have writ on the IX. Article of the Firſt Chapter.

Tom. 4. conc. pag. 583.

VI.

And to the End the National Synod be not amuſed about Queſtions decided by Acts of former National ones, the Provincial Synods ſhall be advertis'd carefully to read the Acts which the ſaid National ones have paſſed before they make their memorials, and to ſend nothing but what may be common and general to all the Churches, or which ſhall not otherwiſe merit the reſolution of the National Synod.

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CONFORMITY.

The VIII. Council of *Toledo* aſſembled *Anno Dom.*653. made a Decree much like this, by which it prohibited to reverſe, to contradict, and oppoſe the execution and accompliſhment of what had been eſtabliſhed by univerſal Authority; this Synod confirming for ever as the Fathers ſpeak, the general and univerſal Conſtitutions. Ibid. pag 755, 757.

VII.

The National Synod may definitively dicide and reſolve all Eccleſiaſtical matters, the Provinces having been before adverti'd by that which has the charge of aſſembling the Synod, as near as may be done.

CONFORMITY.

This Eſtabliſhment agrees very well with the Antient Cannons, for Example, with the VI of *Nice*, according to the explication given it by the Biſhops of *Africa* in their Letter to Pope *Celleſtin*, with the ſecond and the ſixth of the firſt Council of *Conſtantinople*, the eighth of the firſt of *Epheſus*, the nine and ſeventeen of *Calcedon*, the twelfth of *Antioch*, the 19, 28, 95, and 125 of the Code of *Africa*, thoſe which deſire further Light for the underſtanding this Article, may pleaſe to read what I have writ on the Tenth Article of the Eighth Chapter.

VIII.

Reſolutions ſhall be ſetled by the Deputies of Provinces, and if there are other Miniſters beſides the Deputies, they

may indeed propoſe what they think fit, but they ſhall not have deliberative, nor deciſive voice.

CONFORMITY.

Tom. 4. conc. pag. 756, 757.

The ſame Cannon of the Council of *Toledo* which I alledged on the VI. Article, ſays expreſly, that if in a Synod a ſmall number, by ignorance, or contention, is of a different Opinion from the reſt, they being warned before, muſt yield to the greater Number, or elſe depart with ſhame out of the Aſſembly, and they ſhall be Excommunicated for the ſpace of one year. Since the 4th. Century, the great Council of *Nice* had referr'd the Deciſion of Affairs to the plurality of Voices, in the 6th. Canon, a Decree which the 19th. Council of *Antioch* renewed ſixteen years after.

IX.

Thoſe which appeal from Provincial to National Synods, ſhall be obliged to be there preſent, or to ſend full inſtructions, with lawful excuſe of their abſence; and in default thereof, the ſentence of the Provincial Synod ſhall be confirm'd. The ſame thing is done in appealing from Conſiſtories to Colloques, and from Colloques to Provincial Synods.

CONFORMITY.

Tom. 1. pag. 710. an. 397.

The VII. Cannon of the 3d. Council of *Carthage* condemns the Biſhop who being accus'd for ſomthing for which he has not been clear'd in the Provincial Synod, don't appear at the National One, there to have the complaint preferr'd againſt him finally judged.

X. *The*

X.

The Deputies of Provinces ſhall not depart without taking along the Reſolutions of the Synod, ſigned by the Preſident, or Secretary; and a Month after their return, ſhall give advice to the Colloques of their Provinces, to the End they might ſend for the Acts of the ſaid Synod; and this at the charges of the ſaid Colloques.

CONFORMITY.

What I have obſerv'd on the XIII Article of the 8th. Chapter is ſufficient for the explaining of this; I will only add, that all thoſe whereof the Synods were compos'd, ſubſcribed to the Acts, as appears by the ſubſcriptions of Antient Cannons; the which is preſcribed by the 4th. Council of *Tolledo*, *Anno* 633. in the 4th. Cannon; and which is practis'd by the 11th. of the ſame place, and declares ſo much in the 16th. *Anno Dom.* 675, to which may be added, the 5th. Cannon of that of *Merrida* in *Portugal* in the year 666, being it enjoyns the ſame thing. Tom. 4. conc. pag. 583. 826. Ib. p. 802.

XI.

And to the End the Acts of Synods may be preſerv'd, and that future uſe may be made of them for deciding Queſtions which may be propos'd in National Synods; the ſaid Acts as well of the time paſt as to come, and all others which concern the Synods, together with the Articles of Diſcipline, and confeſſion of Faith of the conformed Churches, ſhall be left to be kept in Cuſtody of the Deputies of the Province which ſhall be named for convocating the next National Synod, and the

the ſaid Province ſhall ſtand bound to carry them to the Synod.

CONFORMITY.

We read in the 86 Cannon of the *African* Code, which is ſuppoſed to be of the Council of *Milena* in the year 402, we there read a Decree much like Ours; "It "has been thought fit by all the Biſhops which have "ſubſcribed to this Council, that the Matricule and the "Archives of *Numidia*, may be preſerved in the "Church of the firſt See, and in *Conſtantinople*, which is "the Metropolitan City.

XII.

At National Synods, *before ſeparating, there ſhall an amicable cenſure be made of all the* Deputies, *as well Miniſters, as Elders, of that only which has hapned during the* Seſſion, *and in general, of their Provinces; and the holy* Sacrament *ſhall be celebrated, to teſtifie their* Union, *provided it be joyntly with the whole* Church, *where they ſhall be aſſembled, the which to this purpoſe, ſhall have timely Notice to prepare themſelves.*

CONFORMITY.

The Obſervations I have made on the VI Article of the ſeventh Chapter, ſerve as a Commentary on this.

CHAP.

CHAP. X.

Of the Holy Exerciſes of the Aſſembly of the Faithful.

ARTICLE I.

THE Irreverence ſhall be reſtrain'd which is ſeen in ſeveral, when they are preſent at Eccleſiaſtick or Domeſtical Prayers, in not uncovering the Head, and Kneeling, which things are contrary to Piety, gives ſuſpicion of Pride, and may ſcandalize good Men. Therefore Paſtors ſhall be deſired, as alſo Elders, and Maſters of Families, to have a regard that during the ſaid Prayers, every body without Exception, or accepting of Perſons, do give by this mark of outward behaviour, a teſtimony of the humility of his heart, and of the Homage he owes to Almighty God, unleſs ſome may be hinder'd to do it by ſickneſs, or otherwiſe, the Judgment whereof ſhall be left to his own conſtancy.

CONFORMITY.

The Ancient Chriſtians were wont to kneel at Prayers, as *Euſebius* teſtifies in his Eccleſiaſtical Hiſtory. St. *Chryſoſtom* in his 18 Homily on the 2 to the *Corinthians*, ſaith, that he bowed to the ground, and *Syneſius* in his 57 Epiſtle, that he kneeled down at his Prayers, and that in that poſture of a Beggar, he deſir'd Death rather than a Biſhoprick: Nevertheleſs it muſt be granted, that about the end of the 2 Century, they began to pray ſtanding, on Sundays, and during the interval of time, betwixt *Eaſter* to *Whitſontide*, *Tertullian* aſſures us ſo in the

the third Chapter of the Book of the Crown, and with him the Author of Queſtions to the Orthodox in the Works of St. *Juſtin Martyr*, in the 115 Queſtion; a practiſe authoriſed by the great Council of *Nice* in the 20th. Cannon, on account of thoſe which us'd otherwiſe. In the time of St. *Jerom*, that is to ſay, in the 4 and 5 Century's, the Decree of *Nice* was follow'd, and he alſo touches the Uſe of this Cuſtom in his Preface on the *Epheſians*, where he obſerves, that from *Eaſter* to *Whitſontide*, " It is a time of Joy and Victory, during which, " ſaith he, we do not bend the knee, and do not pro- " ſtrate towards the Earth, but ariſing with the Lord, Tom. 6. pag. 161. " we fly up to the higheſt Heavens: He obſerves the ſame thing in his Dialogue againſt the *Luciferians* chap. 4. St. *Paul* nevertheleſs does the contrary, for we read in the 20 chap. of the *Acts ver.* 36. that having diſcourſed with the Paſtors of the Church of *Epheſus*, he kneeled down and prayed with them all, it appears by the 16 *verſe* of the ſame chapter, that 'twas betwixt *Eaſter* and *Whitſontide*. St. *Luke* obſerves alſo in the 21 chap. *verſe* the 5th. of the ſame Book of *Acts*, that the Apoſtle departing from *Tyre* about the ſame time, being accompany'd with the Diſciples and Brethren of the place, with their Wifes and Children, *they kneeled down and prayed*: Moreover, this practiſe of the Ancient Chriſtians which I but now mention'd, ſhews that it was ever their manner to pray kneeling, which is the moſt becoming and decent poſture to procure the Mercy of God, as the Author of Queſtions to the Orthodox does declare; becauſe indeed the Creature can never too much humble himſelf before the Soveraign Majeſty of his Maker, in whoſe preſence he muſt proſtrate himſelf and confeſs his vileneſs and nothingneſs, ſaying to him with *Abraham*, I

am

am but duſt and aſhes. And as they prayed kneeling in the primitive Church, there's no doubt to be made but they alſo prayed bare-headed; ſuch doubtleſs were thoſe Common Prayers and Supplications which were made in their Aſſemblies, as *Juſtin Martyr* and *Tertullian* do teſtifie in their Apologies.

As for ſinging of *Pſalms*, it is what has ever been practis'd in Chriſtian Aſſemblies. St. *Paul* recommends it to the *Coloſſians* in theſe terms, *Let the word of Chriſt dwell in you richly in all wiſdom, teaching and admoniſhing one another in Pſalms, and Hymns, and ſpiritual Songs, ſinging with grace in your hearts to the Lord.* *Pliny* the 2d. in his Relation to the Emperor *Trajan* of the Chriſtians in *Aſia*, and of their Aſſemblies before day light for fear of Perſecution, he obſerves amongſt other things, *that they ſang Hymns to Jeſus Chriſt as to a God.* *Tertullian* makes mention of this Letter of *Pliny* to *Trajan* in the 2 chap. of his Apology, and in the 39 he ſpeaks of theſe ſpiritual Songs which Chriſtians ſang to God in his time; eſpecially the Pſalms of *David* have ever been highly eſteemed in the Church, which has found the ſinging of them ſo comfortable and ſaving, that it has ever been practis'd without Interruption. The 17 Cannon of the Synod of *Laodicea* preſcribes the manner of ſinging them in the Aſſembly. It would be endleſs to relate all the Fathers have ſaid in commendation of theſe Divine Hymns, the praiſe whereof they have endeavour'd to ſtrive who ſhould moſt exalt them, eſpecially St. *Baſil*, St. *Ambroſe*, St. *Chryſoſtom*, *Theodoret*, and ſeveral others, therefore I'le content my ſelf in producing what is ſaid by the Author of the Chriſtian Topography; " That the Pſalms " of *David* are ſung in all Churches throughout the " World, and that they are almoſt in every bodies " mouth, as well great as ſmall, and that in each Church

Col. 3. 16. See Eph. 5. 19.

Lib. 10. Ep. 97.

Apud Allatium de lib. Græc. pag. 61. "they are ſung, and they are oftner read than the "Writings of the Prophets, or any other ſacred Monu- "ments.

II.

The Congregations of Believers being alſo appointed to ſing the praiſes of God, and to comfort and fortifie themſelves by the uſe of Pſalms, All ſhall be advertiſ'd to carry their Pſalm Books to Church, and thoſe who by diſdain ſhall neglect to have them, ſhall be cenſur'd, as alſo thoſe which ſhall not be uncover'd in the time of ſinging, as well before as after Sermon, and alſo during the time of celebrating the Sacraments.

CONFORMITY.

Seeing Prayer and ſinging Pſalms are things Eſſential to Piety, our Diſcipline doth juſtly preſcribe the Manner and Means to do it as becometh, and to declare thoſe worthy of cenſure which ſhall tranſgreſs their Ordinance.

It requires the ſame thing in the time of celebrating the Sacraments, and in deſiring it, it nothing differs from the practice of the Antient Church, which had ſo great Reſpect for Baptiſm and the Lords Supper, that it ſuffer'd not the Catechumeny, Energumeny, or Penitents, to be preſent at celebration of one or the other, calling them both Terrible Miſteries.

III.

In times of great Perſecution, or of Plague, War, Famine, or other great affliction. Alſo when Election is to be made

made of Miniſters of the Word of God, and at the time of entering into the Synod, one may if neceſſity require, one or more days, have publick Prayers, with faſting, yet without ſcruple, or ſuperſtition, all done with great caution, and conſideration. And the Churches ſhall be advertis'd to conform one with another in celebrating a Faſt, as near as they can, according to convenience of time and place.

CONFORMITY.

Tertullian being turn'd *Montaniſt*, and by conſequence an Enemy of Catholicks and the Orthodox, whom he treats injuriouſly and after an unchriſtian manner: *Tertullian*, I ſay, reproaches them in his Book of Abſtinence, which he wrote expreſly againſt them, he reproaches them that they faſted voluntarily according to the ſubject and occaſion they had for it, and in the ſame Book he ſaith, that the Biſhops were wont to appoint the People to faſt when the Church had need to humble it ſelf in the ſight of God, and that it is in fear of ſome evil that threatens it; this was the manner of the Antient Chriſtians in celebrating of Faſts; an order which we exactly follow, and which is grounded in that Jeſus Chriſt nor his Apoſtles, have not preſcrib'd in any place of the New Teſtament on what dayes one ſhould or ſhould not faſt, as St. *Auſtin* has obſerv'd in his 86 Epiſtle to *Caſulanus*.

cap. 2. p. 545.

Ibid cap. 13. p. 551 Extr.

IV.

Thoſe Churches which have been accuſtom'd to make publick Prayers on certain dayes, may keep the order they have for a long time happily uſed, and others may conform thereunto according to the means which God ſhall pleaſe hereafter to give them, and as their Edification ſhall require.

CONFORMITY.

This Article has no other Scope but to eſtabliſh an intire Conformity in the Churches, as to what regards the Exerciſes of Piety and Religion, near hand as when the Council of *Epaune* in the year 517. ordain'd, that in the out Provinces for celebration of Divine Offices, the ſame Order ſhould be obſerv'd as is by the Metropolitan; the ſame thing was concluded the ſame year in *Spain* in the 1 Council of the Synod of *Gironda*, To. 3. *conc. pag.* 806, and *Anno* 633 in the 2 Cannon of the 4 of *Tolledo*, To. 4. *conc. pag.* 582. and in the year 465 a Council of *Vannes* had appointed that throughout the whole Province, the ſame Order and Rule for Divine Offices, and for ſinging of Pſalms, ſhould be obſerv'd.

can. 27. Tom. 1. conc. Gal. p. 199.

can. 55.

V.

There ſhall no Prayer, or Sermon, nor publick Alms be given at Burials, to ſhun Superſtitions, and thoſe which accompany the Corps ſhall be exhorted to behave themſelves with modeſty during the time, meditating according to the object before their Eyes, as well the miſeries and ſhortneſs of this life, as the happineſs of the life to come.

CONFORMITY.

All pretence towards ſuperſtition whereunto Men are too apt to incline, is in this Article endeavour'd to be avoided.

VI.

VI.

Becauſe Mourning don't conſiſt in Apparel, but in the Heart; Believers ſhall be warned to demean them therein, with all Modeſty, rejecting all Ambition, Hypocriſie, Vanity and Superſtition.

CONFORMITY.

This laſt Article preſcribes Modeſty, and excludes Hypocriſie and Ambition, which were generouſly oppoſed by the Primitive Chriſtians.

CHAP. XI.

Of BAPTISME.

ARTICLE I.

BAptiſm adminiſtred by one that has no Vocation, is abſolutely Void.

CONFORMITY.

The Author of Apoſtolical Conſtitutions contents not himſelf to forbid Women to Baptiſe, he alſo prohibits all Lay Perſons, becauſe they are not called to it; in effect, having employ'd the Ninth Chapter of the Third Book to ſhew that Women ſhould not Baptiſe, he thus begins the Tenth. *Neither do we ſuffer a Lay Perſon to Exerciſe any Prieſtly Function, as to offer Sacrifice, that is to ſay to celebrate*

celebrate the Sacrament, or to Baptiſe, or impoſe hands, or to give the Benediction, whether more or leſs, for none takes to him this honor, but he enjoys it, which is called of God. St. *Baſil* was of no other Mind, as the Jeſuit *Petau* confeſſes in his Notes upon St. *Epiphanius*, where he ſays, St. *Baſil* ſeems to have believed that Baptiſm conferr'd by Lay perſons was Null; and to ſpeak the Truth, this Holy Doctor ſpeaking of the Opinion of St. *Cyprian*, of
Pag. 351. *Firmilian*, and others, which taught that all thoſe ought to be Re-Baptis'd which had been Baptis'd by Hereticks,
Epiſt. ad Ampluit. can. 1. To. 3. p. 21. he ſaith, *That they had appointed they ſhould be purified anew by the true Baptiſm of the Church, no more nor leſs then if they had been Baptis'd by Lay Perſons:* St. *Baſil* would not have ſpoke after this Manner had he not been perſwaded that Baptiſm adminiſtred by Lay Men, is not true Baptiſm.

cap. 17. p. 231. As for Baptiſm adminiſtred by a Woman, *Tertullian* had before condemn'd it in his time, in his Treatiſe of Baptiſm, and had ſhewn that they were not permitted to teach, nor to Baptiſe. St. *Epiphanius* in the Hereſie of the *Collyridians*, which is the 79, in order, inlarges much in proving the ſame thing, to ſtop the raſhneſs of Women, who
pag. 1059. 1060. would undertake to Baptiſe, obſerving alſo that the Holy Virgin had not this power, for if ſhe had it, Jeſus Chriſt might have been Baptis'd by her rather than by *John Baptiſt*. The fourth Council of *Carthage* made this Decree, *Anno* 398, *That a Woman ſhould not preſume to Baptiſe.* It is not then to be wonder'd that St. *Epiphanius* in the forty two Hereſie, obſerves as a thing blame-
Tom. 1. conc. can. 100. pag. 730. able, *That the Arch-Heretick* Marcion *permitted Women to Baptiſe.*

II.

A Doctor in the Church cannot Preach, nor adminiſter the

the Sacraments, unleſs he be both Doctor and Miniſter.

CONFORMITY.

This Article is but a continuance of the former, for ſeeing a Doctor in quality of a meer Doctor, hath no vocation to Preach the Word, nor to adminiſter the Sacraments; it is unqueſtionable, the Baptiſm which he ſhall confer, ſhall be no other than that which ſhall be adminiſtred by a Meer Lay Man, to do it Lawfully, he muſt not only be a Doctor, but alſo a Miniſter.

III.

A Jew, or Pagan, of what Age ſoever he be, ought not to be Baptiſed before being well Inſtructed in the Chriſtian Religion, and that it appears they are ſo by their Confeſſion.

CONFORMITY.

There's nothing in this Eſtabliſhment but what was practis'd in the Antient Church; St. *Juſtin Martyr* teſtifies in his ſecond or rather his firſt Apology, that the Chriſtians of thoſe times, would not Baptiſe thoſe who would turn to their Communion, until after they had believed, and were throughly perſwaded of the Truth of their Doctrine; and moreover promiſed to live conformable to the holineſs of their Laws, and profeſſion. Pope *Victor* the 1,ordain'd towards the end of the ſecond Century, as the Pontifical Book ſaith in his Life; that in caſe of Neceſſity, one may Baptiſe all thoſe that turn from Paganiſm to Chriſtianity, either in a River, or in the

the Sea, or in a Fountain, or in a Lake, upon condition nevertheleſs, that in the firſt place they ſhould give an Account of the Chriſtian Faith, and make an open Confeſſion of it. The Ten Books of Recognitions falſly attributed to St *Clement* Diſciple of the Apoſtles, are very ancient, but forged; and writ before *Origen* who liv'd in the third Century, in the VI of theſe Books at the end, we read St. *Peter* Baptiſed near the Sea, *Thoſe which had fully received the Faith of our Lord and Saviour*; that is to ſay, thoſe which believed in him, and which had been Inſtructed in the knowledge of his Goſpel. St. *Jerom* expounding theſe words of our Saviour to his Apoſtles, *Go teach all Nations, baptiſing them in the name of the Father, of the Son, and of the Holy Ghoſt*, St. *Jerom* obſerves, the Apoſtles taught them firſt, and that after having inſtructed them, they baptiſed them with Water, for ſaith he, *It cannot be that the Body ſhould receive the Sacrament of Baptiſm, unleſs the Soul has firſt received the truth of Faith:* which the forty ſix Cannon of *Laodicea* alſo preſcribes.

Math. 28. 19.

In cap. 28. Mat. Tom. 6. pag. 66.

Tom. 5. Spirit. pag. 203.

St. *Owen* writes in the VIII Chap. of the 2d. Book of the Life of St. *Eloy* Biſhop of *Noyon*, That he baptiſed every year at *Eaſter*, thoſe which in the compaſs of the year he could Convert, that is to ſay, thoſe he could turn from the darkneſs of Paganiſm to the Light of the Goſpel. *Paulinus* Arch-biſhop of *York* did the like in the ſame Century, that is in the 7th. as is related by *Beda* in his Eccleſiaſtical Hiſtory of *England*. *Theodulph* Biſhop of *Orleans* follows the ſame method in his 1 chap. of his Treatiſe of Baptiſm. *Alcuin* who approved not the Saxons ſhould be conſtrained to be baptiſed by force, alledged for a Reaſon, that they ought firſt of all to be Inſtructed. But to deſcend to the laſt Century, Cardinal *Borrome* in the Fifth Council of *Millan*, of which place he was Arch-

Epiſt. 104, 105.

Arch Biſhop, requires two things of *Adults* which are to be baptized; Firſt, that they know the Rudiments of the Chriſtian Religion: Secondly, That they repent of their Sins paſt: I will add to all I have hitherto obſerv'd, the practice of the Primitive Church, which inſtructed the Catecumeny, a long while before they Honour'd them with Holy Baptiſme, There is in our Diſcipline, at the end of the Chapter we examine, a Form of Baptiſme of thoſe which ſhall be converted to the Chriſtian Faith, And in the Thirteenth Century *Nicetas Choniates* compoſed one for *Mahometans*, which deſired to embrace Chriſtianity. The VI. Council of *Paris* Authorizes the Decree which it makes in the Year 829. Cannon the Sixth Book the Firſt, by the Practice of the Primitive Church, *To.* 2. *Conc. Gall. pag.* 846.

An 1579 Tom. 9. Conc. pag. 666

Tom. 12. Bibl. Pat. p. 527. cum 531, 532.

IV.

The Children of Fathers and Mothers of the Romiſh *Church, and of Excommunicate Perſons, cannot be admittiſme in the Reformed Churches, though they were preſented by believing Godfathers, unleſs their Father and Mother conſent to it, and deſire it, and reſign their Authority, in quitting and yielding up to the Godfathers, their right, as to Inſtructing them, with promiſes their Children ſhall be Educated in the true Religion.*

CONFORMITY.

This Article is grounded on that Children depend of their Father and Mother, without whoſe conſent they cannot be diſpoſed of, nor chriſtned againſt their Will, into a Communion whereof they are not Members; otherwiſe it were a Forcing People to be Baptized,

Hiſt. lib. 6. cap. 17 which the Church has ever condemn'd. King *Chilperick*, as is related by *Gregory* of *Touers*, commanded to Baptiſe the *Jews*, that is to ſay, he conſtrain'd ſeveral to be Baptiz'd, which Pope *Gregory* the Firſt did not approve, as appears by the Letter he wrote to *Virgilius*, and *Theodorus*, the former being Biſhop of *Arles*, the other of *Marſellia*, and is the Forty Fifth of the Firſt Book. So alſo when King *Siſibute* had done in *Spain*, after the ſame manner as *Chilperick* had done in *France*, the Fourth Council of *Toledo* in the year 633, changed their violent practice in its 56 Cannon, the Decree is contained in theſe terms,; *As for* Jews, *the Synod has Ordain'd that henceforwards no body ſhall be forced to believe, for God has compaſſion on whom he will, and harden whom he pleaſes, and ſuch ſhould not be ſaved by force, but voluntarily, to the end to preſerve intirely the way of Juſtice; for as Man was ruin'd by voluntarily obeying the Serpent, he is alſo ſaved by believing, and converting to God, when he calls him by his Grace; let perſwaſion there be uſed, and not violence, to incline them to be converted truly and without any conſtraint*; And 'tis to be obſerv'd that the Ordinance of this Prince, comprehended Children, and Domeſticks; therefore St. *Iſidore* Biſhop of *Sevil*, wrote of him, having regard to this Edict, *That he had a Zeal for God but not according to Knowledge*; And we have already ſeen on the precedent Article, that *Alcuin* Tutor to *Charlemain*, did by no ways approve the force was put on the *Saxons* in thoſe times, Read his Letters in 104, and 105, and you'l ſee the truth hereof, inſomuch as he deplored at the beginning of the former, the misfortune of that People; *which as he ſaith, often loſt the Sacrament of Baptiſme, becauſe they never had in their hearts the Sacrament of Faith*: Thence it is, he teacheth in both of them, that one

Tom. 4. Conc. pag. 593.

Ib. p. 603.

Hiſt. Gothor. in fine hujus.

muſt

muſt begin by Inſtruction, that Faith is a thing voluntary and not forced, that a Man cannot be forced to believe that which he does not believe.

But that it may not be thought, the Subject I examin is of little importance, and that it might be put amongſt things indifferent, to be done or left undone at pleaſure, it muſt be ſhewn there is nothing more contrary to the tenour of the Goſpel than to conſtrain Men to imbrace the profeſſion of it; Jeſus Chriſt the Author of this Heavenly Doctrine, and the Soveraign Doctor of this Truth never imployed force nor violence to have it received, he was content in Exhortations and Inſtructions which he accompanied with a hidden and ſecret vertue in regard of thoſe he intended to call to his Communion, and which he drew with efficacy, but alſo at the ſame time, with Sweetneſs, with Cords of Love and Bands of Humanity and Charity. The Apoſtles exactly followed his Example, Exhorting Men to repent and believe the Goſpel, and praying them in the Name of Jeſus Chriſt to be reconciled to God.

The Chriſtians which ſucceeded the Apoſtles did juſt after the ſame manner. *Tertullian* in his Appollogetick declares poſitively that the Liberty of Religion cannot be taken away, nor deny Men the choice of the Divinity which they adore, without rendring themſelves guilty of the crime of Impiety and Irreligion, becauſe, he pretends, the Service of God ought to have a willing mind for its firſt principle. And in his Book to *Scapula* he ſaith, That 'tis no Act of Religion to force the Religion which one ſhould imbrace of free will, and not by conſtraint. *Lactantius* in the 20*th* chap. of the Fifth Book of his Divine Inſtitutions, ſaith, *There is nothing ſo voluntary as Religion, which ceaſes to be, at the very moment one has any averſion or hatred to it.* St. *Hilary* cap. 24. 28. p. 82. G. Par. 1544

Pag. 82. G Pariſ. 1584. of *Poictiers* in his Firſt Book to the Emperour *Conſtantius*, writes, That God has taught the Knowledge Men have of him, before he required it, Authoriſing his Commandments by his Miracles, not deſiring a forced Obedience, nor an unwilling Confeſſion; And in Ib. p. 84. his Book againſt *Auxentius*, he reproaches the *Arrians* to have imployed *Priſons* and baniſhment to conſtrain Men to be of their ſide, and to enter into their Communion. St. *Athanaſius* was of the ſame Opinion, as he ſhews in ſeveral parts of his Works, particularly Tom. 1. p 855. in his Epiſtle to the *Solitaries*, where he ſaith, *That the Nature of Piety and Religion is not to conſtrain, but to perſwade, after the Example of our Saviour who forced no body, but left it at every bodies choice to follow him, ſaying to all the World, If any one will come after me, and to his Diſciples, and you, will not you alſo go?* After which he extreamly blames the Conduct of the Emperour *Conſtantius*, who at the deſire of the *Arrians*, tormented the Catholicks, and uſed great violence to make them declare in his favour, violence which he exaggerates with compariſons too ſtrong, the which I forbear to write. I might alleage other Teſtimonies of the Fathers, but I would not be too tedious.

pag. 388. Therefore it ſhall ſuffice to obſerve, that there is mention in Mr. *Juſtels African* Code of a Law that was publiſhed, by the which it was left to every bodies free choice, to imbrace the Chriſtian Religion. The Emperour *Jovian* which ſucceeded *Julian* the Apoſtate, is Hiſt. lib. 3. cap. 25. extr. praiſed in *Socrates*, in that he had ſuffer'd every body to make profeſſion of what Religion he pleas'd, *Ammianus Marcellinus* has not failed to praiſe for the ſame thing, the Great *Valentinian* who ſucceeded *Jovian* in the Empire, in his Thirtieth Book, which the Prince teſtifies Lib. 9. tit. 16. de Malef. & Mathem. of himſelf in the *Theodocian* Code, where he declares, that

that as ſoon as he began to Reign, he made Laws, whereby every body had liberty to profeſs the Religion wherein he had been inſtructed and train'd up; I can't tell if I ſhould mention *Conſtantine Pagonat*, or the hairy, who in the Letter he writ to the Biſhop of *Rome*, on occaſion of the Sixth Univerſal Council he aſſembled at *Conſtantinople*, he ſpeaks to him in this manner, *We may excite and exhort all the World to amend, and to joyn with the Chriſtians, but we will not conſtrain any body*: But I know I ought not, and examining this matter without ſpeaking of the Emperour *Martian*, by whoſe Authority the Council of *Chalcedon* was aſſembled in the Year of our Lord 451, for in the Letter he writes to the *Archimandrites*, and to the Friers of *Jeruſalem*, and the parts thereabouts, he ſaith, ſpeaking of this Council, That no body was conſtrained by his Order to ſubſcribe and conſent to it, and ſee here the reaſon he gives; *For ſaith he, we will not force or hale any body into the way of truth by threats nor violence*: Words becoming that wiſe Prince; and which deſerves to be graven in the mind of all Soveraigns: And it is to be wiſhed for the Honour of *Charlemain*, that he had ſo acted in regard of the *Saxons*, and not to have threatned with Death thoſe amongſt them as refuſed to be baptiz'd.

Tom. 5. Conc. pag. 11.

Tom. 3. Conc. p. 488.

Collect. part 2. pag. 179. cap. 7.

V.

The Children of thoſe alſo which are called Sarazins *may be received to Baptiſme in the Reformed Churches, on the conditions above-mention'd, provided alſo they may be void of all preſumption on account of any former Baptiſme received, and after ſerious remonſtrances made to Godfathers, to conſult how they may beſt diſcharge the promiſe and obligation*

gation they make to the Church, and moreover that Godfathers and Godmothers charge themſelves with the maintenance and inſtruction of the Child.

CONFORMITY.

This Article being much like the former, it needs no other explication than that I have made on the Fourth, where I have obſerved ſeveral things.

VI.

Baptiſme ſhall not be adminiſtred but in Church Aſſemblies, where there is a Church publickly ſetled, and where there is not a publick Church, and the Fathers and Mothers by reaſon of ſickneſs fear to have their Children chriſtned at Church, the Miniſters ſhall prudently adviſe what to do in the matter; however that there be the form of a Church, together with Exhortations and Prayers; But if there be no Church, and that an Aſſembly is not to be had, the Miniſter ſhall make no ſcruple to baptize the Infant of a Believer preſented to him, with Prayer and Exhortation.

CONFORMITY.

The Fifty Ninth Cannon of the VI. Oecumenical Council in the year 692, forbids adminiſtring Baptiſme in Oratories, in private Houſes, it requires it ſhould be perform'd in the Catholick Churches, threatning to depoſe the Church-Men which obey not this Decree, and to Excommunicate the Laity which ſhall violate it. Nevertheleſs the ſame Council permits to do it by advice of the Biſhop of the place, Cannon Thirty Firſt, although the Fifty Eighth of that of *Laodicea* had abſolutely

Tom. 5. Conc. pag. 339.

ſolutely prohibited to Biſhops and Prieſts in the Fourth Century, to celebrate the Euchariſt in private Houſes.

But the difficulty is to know what the Council means by the Catholick Churches, when it forbids chriſtning any where elſe, an Expreſſion which I alſo find in the Preliminaries of the Second Council of *Nice*, where it is ſaid, the Biſhops went *ad Luteram of the Holy Catholick Church*: The term *Luter* which comes from the *Greek* λουτηρ ſignifies a Baſin, or Veſſel to waſh the feet, and I can't tell if in the words I examine, it may not be put for the Baptiſmal Fountain. After all, I am inclin'd to think that by the Catholick Churches here ſpoke of, is to be underſtood the Churches appointed for all the People in general, and where there was publick Fonts, according to which there is mention in the Capitularies of our Kings, of Baptiſmal Churches, ſo called, becauſe there was a Publick Font or Chriſtning Place, as appears by the Seventh Cannon of the Synod which *Pepin* the Father of *Charlemain* caus'd to be held *apud vernum, Anno Dom.* 750, *There muſt not be a publick Font in any Pariſh, but there where the Biſhop whoſe the Pariſh is, doth appoint.* *Flodoard* in his Second Book of his Hiſtory of the Church of *Reims*, chap. 19. calls theſe Churches, Baptiſmal Tytles, which diſtinguiſhed them from others which had not Fonts.

Tom 5. Conc. p. 517.

Tom. 2. Conc. Gal. p. 152. Ibid. pag. 39.

Tom. 16. Bibl. Pal. pag. 674.

And it is very probable that there was in each City but one Baptiſmal Church where all the People were Chriſten'd, which was alſo obſerv'd in Villages in the Country, ſo it muſt be underſtood the Decree of the Council of *Meaux* in the Year 845, *That no Prieſt preſume to Baptize but in the Baptiſmal Churches which are in the Villages.* As for Oratories it was not permitted there to build Fonts as we find by the Ninth Epiſtle of the Second Book of *Gregory* I. of the 71. and 83 of the

Tom. 3. Conc. Gal. Can. 48. p. 45. Tom. 1. Conc. Gal. c. 18. pag. 569.

the 7*th* of the Third of the 8*th* of this practice continued alſo in Pope *Zacharies* time, who alſo wrote ſo to *Pepin* in the year 747 in uſing the very terms of *Gregory* I. But in proceſs of time 'twas left to the Liberty of the Biſhop to ſuffer it, provided that the conſent of his Clergy alſo interven'd; It is what may be ſeen in the Decree of *Gratian*, cap. 16. 9. 1. c. 35. Moreover theſe Baptizing Churches which were otherwiſe named *Plebes*, and *Oracula*, were in ſo great conſideration above others, that *Charlemain* in his Capitulary in the year 793, chap. 2. will not have them poſſeſſed by Lay-Men, to whom he forbids to grant them under the Title of *Bennifice*, although that was not alwayes obſerv'd; And it may be the Names of *Plebes* and *Oracula*, was given to theſe Churches, becauſe all the People were wont there to reſort to hear the Oracles of God, that is to ſay, the Word of his Goſpel.

Inaſmuch as our Diſcipline ſuffers Miniſters to baptiſe out of the Aſſemblies, when it is impoſſible to have them, it agrees very well with the Seventh Cannon of the Council *apud Vernum*, which I cited above, where 'tis permitted in caſe of Neceſſity to Baptize out of the places where publick Fonts were erected; Moreover, *Vernum Palatium*, was one of the Kings Pallaces betwixt St. *Dennis* and *Compeigne*, *at leaſt many do think ſo.*

VII.

Seeing we have no command of Chriſt to take Godfathers and Godmothers to preſent our Children at Baptiſme, there cannot an expreſs Law be impos'd on Perſons to do ſo; Nevertheleſs becauſe it is an Antient Cuſtom, and introduced for a good end, to with to teſtifie the belief of the Godfathers, and the Baptiſme of the Infant, and alſo to maintain

tain the Society of Believers in Friendſhip and Amity, thoſe which deſire not to follow it but would preſent their Children themſelves, ſhall be earneſtly exhorted not to be contentious, but to conform to the Ancient Cuſtom, which is good and profitable.

CONFORMITY.

The Cuſtom of Godfathers and Godmothers to preſent Children at Baptiſme, is very Ancient, ſeeing *Tertullian* makes mention of it in his Book of Baptiſme, chap. 18. St. *Auſtin* in his Twenty Third Epiſtle ſaith, they are preſented by their Father or Mother, or by others; the pretended *Dennis* the *Areopagite* in his Eccleſiaſtical Hierarchy, ſpeaks but of Godfathers, which ſhould be faithful, and choſen by thoſe which are to be Chriſtned, if they are *Adults*, or by the Fathers and Mothers, if they are young Children; and he would alſo make the Reader believe that 'twas inſtituted by the Apoſtles. *Gregory* the Firſt in his Book of Sacraments, doth not alſo forget thoſe which preſent Children at Baptiſme. As for *Ceſarius* of *Arles*, he declares in the Twelfth of his Homilies, given us by Monſieur *Baluze*, that the Father and Mother are to be anſwerable, the VI. Cannon of the Council of *Metz* in the year 888, ordains that the Father or Mother of the Child receives it when it comes out of the Baptiſmal Fountain, ſo great Liberty has been us'd by the Church in theſe things: Read the Three laſt Teſtimonies I have mentioned on the Twelfth Article.

Tom. 2. cap. 2. & 7. p. 215, 216. 217, 361. Paris 1644.

Tom. 3. Conc. Gall. p. 526.

VIII.

Women ſhall not be admitted to preſent Children to Baptiſme

tiſme unleſs accompanied with a Godfather, and after having made profeſſion of the Chriſtian Religion.

CONFORMITY.

In all Antiquity there is few or no Examples to be found of a Woman that preſented a Child to be Baptized without a Godfather, and much leſs of an unbelieving Woman; in effect, we have ſeen on the Seventh Article, That thoſe which preſented Children ſhould be believers. What I alleadged of the Council of *Metz* on the ſame Seventh Article, not deſtroying what I ſay on this, if one reads all the Cannon, beſides that it has ſometimes been ſuffer'd amongſt us upon ſome Conſiderations as appears by the National Synod of *Poictiers* in the Year 1560, that's to be underſtood in regard of believing Women, though this ſufferance is not at preſent in uſe.

IX.

No Godfather coming from another Church, ſhall be ſuffer'd to preſent a Child to Baptiſme, without bringing a Certificate from his Church.

CONFORMITY.

Anciently no Stranger was received without a Teſtimony from his Church, it is the Order of the Seventh Cannon of the Council of *Antioch* in the year 341. Let no Stranger be received, without *Pacifick Letters*, It is what appears alſo by the Fifty Eighth chap. of the Second Book of Apoſtolical Conſtitutions, where we read,

read, that neither Brother nor Siſter of another Church, was to be received without Letters of Recommendation.

X.

Thoſe which preſent Children to be baptized muſt be of competent Age, as of Fourteen years old, having received the Sacrament; Or if they are more advanc'd in Years, and have not received the Lords Supper, promiſe faithfully to do it, and are duly catechiſed.

CONFORMITY.

Herraud Biſhop of *Touers* in his Capitulary of the Year 858, makes this Ordnance, That none ſhall receive any at the Baptiſmal Fountain, unleſs he knows by heart in his own Language, and underſtands the Lords Prayer, and the Apoſtles Creed, and that all know the Covenant they have made with God. The Sixth Cannon of the Council of *Metz* preſcribes the ſame in ſubſtance in the Year 888; Cardinal *Borrome* Arch-Biſhop of *Millan*, in the Fourth and Fifth Councils which he there cauſed to be held, in the Year 1573, and 1579, orders the very ſame, marking alſo as well as our Diſcipline the Age of Fourteen Years; and to obſerve the exactneſs of our Diſcipline with that of the Antients, it is to be known that we admit none to participate of the Holy Sacrament of the Euchariſt till after he has given ſufficient proof of his being well-inſtructed, and of his knowledge, in the Miſteries of Salvation. The Sixth Council of *Paris*, precedent to all the Teſtimonies I have hitherto cited, ſeeing it was aſſembled in the Year of our Lord 829, This Council complains in

Tom. 3. Conc. Gall. cap. 55. pag. 113.

Ibid. pag. 526.

Tom. 9. Conc. pag. 548. and 615.

the Seventh Cannon, Book the Firſt, That thoſe which preſent others to Baptiſme, have not knowledge ſufficient to inſtruct them, which he attributes to the negligence of Conducters, and in the Fifty Fourth Cannon, he will by all means have them taught to be able to anſwer for the Inſtruction of thoſe which they preſent; even ſerving themſelves in the Seventh Cannon, of ſome words of a Sermon of St. *Auſtins* to confirm what he ſayes.

Tom. 2. Conc. Gall. pag. 487. and 521.

163 de Temp.

XI.

Thoſe which are ſuſpended from the Lords Supper, cannot as Godfathers, preſent Children to be baptized, whilſt their ſuſpenſion holds.

CONFORMITY.

This ſame Council of *Paris* which I but now cited, prohibits in the laſt of its Cannons, that is to ſay, the Fifty Fourth, it forbids thoſe which for ſome Crime, is under Pennance, and by conſequence excluded from the Sacrament, not to preſent any Body at Baptiſme, until ſuch time as they are reconcil'd to the Church. Cardinal *Borrome* in his Firſt Council of *Millan*, which he held *Anno* 1565, forbids the ſame thing to all that are Excommunicated.

Tom. 9. Conc. pag 453.

XII.

Miniſters ſhall diligently warn Godfathers and Godmothers to weigh and conſider the promiſes they make at the Celebration of Baptiſme, and Fathers and Mothers alſo to chooſe Godfathers and Godmothers well inſtructed in Religion,

gion, and of good Life and Converſation, and that may be of their Acquaintance, as near as may be, and that by their means there may be appearance, in caſe of need, the Children may be well Educated.

CONFORMITY.

The Author of the Eccleſiaſtical Hierarchy, under the name of *Dennis* the *Areopagite*, preſcribes juſt what is appointed by our Diſcipline; *Jonas* Biſhop of *Orleans* follows the ſame Steps in the Ninth Century, and Eſtabliſhes by the words of St. *Auſtin*, the Duties wherein Godfathers and Godmothers ſtand bound to thoſe which they preſent to be Baptized, it is to what he imploys the Sixth Chapter of the Firſt Book of Inſtruction of the Layity; and the words of St. *Auſtin* he makes uſe of, are taken out of the Sermon 133, of Time, which is in the Tenth Tome of his works. Cardinal *Borrome* in his firſt Council of *Millan*, *Anno* 1565, follows the ſame ſteps with the Antients, ordering to warn Godfathers of their Duty towards their *Neophytes*, both as to Doctrine and Manners, where Fathers and Mothers are wanting. A long while before this Council of *Millan*, St. *Eloy* had recommended the ſame thing to Godfathers, and in the Second Book of Capitularies, chap. 46. Godfathers are enjoyn'd to apply themſelves to teaching Children they have preſented in Baptiſm, becauſe they have anſwer'd for them; It is alſo the ſubject of a Cannon of a Council of *Reims* in *Reginon*, Lib. 1. cap. 272.

Tom. 2. cap. 7. p. 361, 362.

Tom. 1. Spicil. pag. 19.

Tom. 5. Conc. pag 453.

Tom. 5. Spicil. pag. 212.

XII.

XIII.

Thoſe which by Truſtees ſhall preſent Children to be Baptized in the Churches of Rome, *ſhall be ſeverely cenſur'd, as conſenting to Idolatry.*

CONFORMITY.

In the Antient Church thoſe which lived in a Communion ſeparate from others, never preſented their Children to be baptized in thoſe Societies whereof they were not Members, and with whom they held no fellowſhip nor correſpondence in matters relating to Religion and the ſervice of God.

XIV.

As for Names given to Children, Miniſters ſhall reject as much as in them lies, and as ſhall be expedient, thoſe that ſavour of Antient Paganiſme, and ſhall impoſe on the ſaid Infants, the Names attributed to God, in the Church, as Emanuel, *and the like; and moreover ſhall admoniſh Fathers and Godfathers to chooſe Names approv'd in the Holy Scripture, as much as may be poſſible. If they have a deſire to ſome other, they may be admitted, thoſe aboveſaid only excepted, and ſuch as may tend to indecency.*

CONFORMITY.

Dennis Biſhop of *Alexandria*, obſerves in *Euſebius*, That the Antient Chriſtians were wont to give their Children, the Names of *Peter*, *Paul*, and other Holy Men, as well to ſhew the Love and Reſpect they bore thoſe

thoſe Holy Perſons, as to render their Children as dear in the ſight of God, as thoſe Holy Men were. St. *Chryſoſtom* writes that the *Antiochians* loved *Miletius* their Paſtor ſo tenderly, that they call'd their Children by his Name, for this end forgetting that of their Anceſtors: And in the Twenty Firſt Homily on *Geneſis*, which is in the Second Volumne, he Exhorts his Auditors not too lightly to impoſe all ſorts of Names, no not even thoſe of their Grandfathers and Great Grandfathers, and thoſe which have been illuſtrious by Birth, on their Children, but rather the Names of theſe Holy Men, which have been celebrated for their Vertues, and in favour with God; and elſewhere he complains of thoſe which do otherwiſe; according to which *Euſebius* ſpeaks in his Book of the Martyrs of *Palleſtine*, chap. 11. of Five Martyrs, that having quitted the Names they received from their Fathers, becauſe, ſaith he, they were it may be ſome Idol Names, they took the Names of *Elias*, of *Jeremiah*, of *Eſaiah*, of *Samuel*, and *Daniel*. The Fourth Council of *Millan* whereof we ſpake on the Tenth Article, requires this Cuſtom to be followed. I think therefore our Diſcipline does very well in keeping the *medium*, betwixt too great a Severity and too great Indulgence, whereunto the Eſtabliſhments of our National Synods agree very well on this Article.

XV.

Miniſters ſhall warn their Flocks to behave them with all due Reverence when the Sacrament of Baptiſm is adminiſtred. And to avoid the contempt moſt People make of Baptiſm either going out of the Aſſembly, or behaving themſelves in it irreverently when it is adminiſtred, it has

been

been thought good that for the future it be adminiſtred before ſinging the laſt Pſalm, or at leaſt before the laſt Prayer, and the People ſhall be warned to bear the ſame Reverence in the Adminiſtration of Baptiſm as of the Lords Supper, ſeeing Jeſus Chriſt with his benefits is offered us in the one as well as the other Sacrament.

CONFORMITY.

In the Fifth Action of the Council of *Conſtantinople* under *Memma*, which was its Biſhop about the Year of our Lord 536, there is a requeſt of the Church of *Apamia*,, where is ſhewn the profound reſpect one ought to have in the time of adminiſtring Baptiſm; thence it is the Antient Doctors do call it a Miſtery, or terrible Miſteries. There is in the Euchology or Ritual of the Greek Church, an excellent Oration to the Catecumeny which are on the point of receiving Baptiſme, in the which is repreſented in a touching and Pathetical manner, the dignity of this *Auguſt* Sacrament, with the reverence and holyfear one ſhould have when one celebrates it. Cardinal *Borrome* in his Fifth Council of *Millan*, aſſembled *Anno Dom.* 1579. Appoints all Curates, *To warn frequently all thoſe which aſſiſt at the Celebration of Holy Baptiſme, to bring all manner of Piety, Devotion, and attention, meditating ſecretly and with care, the promiſes they have made to God, when they were Baptized*: It is not therefore to be wonder'd if St. *Chryſoſtom* ſpeaks of the Baptiſmal Fountain, as of a redoubtable and deſirable Pool both together, and if he Exhorts thoſe which are going to be baptized to proſtrate themſelves as *Captives* before their King, to caſt themſelves on their knees, lifting up their hands to Heaven where the King of us all, ſaith he, is ſitting on a Royal Throne, becauſe in effect,

Tom. 4. Conc. pag. 109.

Pag. 340. Par. 1647

Tom. 9. Conc. pag. 616.

In illud ſimile iſt reg. Cælor. Patriſam. Tom. 6. p. 550.

effect, we owe this reſpect and veneration to his Sacraments, at all times that we are preſent when they are Celebrated.

XVI.

The Conſiſtory ſhall have an Eye over thoſe which without great Conſiderations, keep their Children long from being Baptized.

CONFORMITY.

St. *Cyprian*, or rather a Synod of 66 Biſhops of which he was Chief, appointed that Infants newly born ſhould be Baptiſed, without deferring too long Baptiſing them, and condemned the Opinion of a certain Biſhop called *Fidus*, that would have it put off to the Eighth day, as formerly to Circumciſe them. Pope *Syricius* in his Letter to *Himerius* Biſhop of *Tarragona*, writes towards the end of the 4th. Century, that he thinks convenient young Infants ſhould ſpeedily be Baptis'd. The V. Cannon of the Council of *Gironda* in *Catalonia*, aſſembled in the year 517, preſcribes that they ſhould be baptiſed the very ſame day they are born, if it happen they are infirm, which is very common. *Peter Chriſologus* Biſhop of *Ravenna* ſhews ſufficiently in his 10th. *Homily*, that care muſt be taken to adminiſter Baptiſm to young Children. Him that writ the forged Eccleſiaſtical Hierarchy in the name of *Dennis* the *Areopagite*, is of the ſame Mind, and even attributes it to the Apoſtles, although he determines not exactly the time. I ſhould never have done ſhould I produce all the Teſtimonies of the Antients touching the Baptiſing young Children, ſeeing it has always been practis'd in the Church; my deſign is chiefly

Ep. 59. pag. 95.

Tom. 1. conc. c. 2. pag. 689.

Tom. 3. conc. pag. 896.

Tom. 2. pag. 360, 361.

to ſhew that the Authors of our Diſcipline had reaſon when they appointed not to defer Baptiſing of young Children too long; and I have ſufficiently ſhewed that this practiſe is conformable to that of the Antient Church.

Nevertheleſs it is not to be thought this practiſe has always been ſo well eſtabliſh'd in the Church, that it has not found ſome Oppoſers, *Tertullian* in the Eighteenth Chapter of his Treatiſe of Baptiſm, would have their Baptiſm put off till they were of Age to give an account of their Faith. *Gregory* of *Nazianzen* don't go quite ſo far, but at leaſt it ſhould ſeem convenient they ſhould be of three or four years of Age before they receive the honour of Baptiſm; becauſe he thinks at that Age they may underſtand ſome queſtions as may be asked them, and make anſwer thereunto. The Chriſtians of *Theſſaly* referred the Chriſtening of their Children till *Eaſter* whatever accident befell them, ſo that a great many of them dyed without Baptiſm, as *Socrates* obſerves in his Eccleſiaſtical Hiſtory, Chap. 12. Book 5. The more I conſider all theſe things, the more I approve the Conduct of our Diſcipline, which prudently enjoyns Conſiſtories to take care that the Baptiſing of Infants ſhould not be deferr'd too long.

Orat. 40. p. 658. To. 1.

As for Adults, it is well known that in the Primitive Church, many deferr'd their Baptiſm a long while, and many times to the end of their Life; but it is alſo known that the Fathers have condemned thoſe which did after this Manner.

XVII.

Although a believing Man has a Wife of the contrary Religion, yet is he not excuſed if his Child be preſented to be Bap-

Baptis'd in the Romiſh Church, and therefore, ſhall not be admitted to the Lords Supper, unleſs it be ſo that he has hinder'd it with all his might.

CONFORMITY.

Beſides what I have ſaid on the 13th. Article, it muſt be obſerved, that the Father is Maſter of his Children, and ſhall joyn to this remark the 14th. Cannon of the Council of *Calcedon*, which preſcribes to Readers and Singers, which are Married, not to permit their Children to be Baptiſed elſewhere than in the Catholick Church, if by chance their Wifes lived in another Communion; and if unknown to them they have cauſed them to be Baptized in the Society whereof they are Members, it enjoyns them, that is to ſay, the Husbands, to bring them back into the boſom of the Church, out of the which they have been Baptis'd.

XVIII.

Baptiſms ſhall be Regiſtred, and carefully kept in the Church, with the Names of Fathers and Mothers, and Godfathers and Godmothers, and Children baptiſed; and the Fathers and Godfathers ſhall be bound to bring a Ticket wherein ſhall be contain'd the Name of the Child, of the Father and Mother, and Godfather and Godmother thereof, and the Day of its Birth alſo ſhall be expreſſed.

CONFORMITY.

The Author of the Eccleſiaſtical Hierarchy, falſly attributed to *Dennis* the *Areopagite*, makes mention of this Cuſtom, according to which was Regiſter'd the Names

Tom. 2. cap. 2. of thoſe which were Baptiſed, and of the Perſons which preſented them. The Friar *Maximus* his Scholiaſt, confeſſes it ſo in the VII. Century. As he fully explains himſelf in his Notes on the place we but now obſerv'd, and *Pachymeres* who made a Paraphraſe on this ſame Writer, in the 13th. Century, has not paſſed over this Circumſtance in ſilence, obſerving that the Prieſts and Deacons wrote on Holy Tables, the Names of them who were Chriſtened, and of their Godfathers; It's true he was miſtaken in thinking theſe Tables was that which in the Church was called the Book, or the Diptyches of the Living; for this publick Regiſter where the Names of the Baptiſed and thoſe which preſented them, was a different thing from the Sacred Diptychs, which were a kind of little Book of two Leaves, in one of which was writ the name of the Living, whereof there was commemoration made at the time of Celebrating the Euchariſt.

pag. 216. pag. 341. 342. Tom. 9. conc. pag. 412. cap. 2. de reform. Matrim. However it be, I make no queſtion but the *Greek* Ritual makes alluſion to the practiſe I Examin, in a fine Exhortation which the Biſhop makes to the Catechumeny on *Good Friday*; The Council of *Trent* in the 24th. Seſſion, *Anno* 1563. appoints Curats to write the Names of the Baptiſed, and of the Godfathers and Godmothers.

Ibid. p. 453. Cardinal *Borrome* who glory'd to hold to the Deciſions of the Council of *Trent*, and to ſee them put in Execution; failed not to preſcribe to his Curats in the firſt Council of *Millan* held in the year 1565, to have a

Ibid. p. 548, 549, 674. Book and therein to write the Names and Surnames of the baptiſed, alſo of Father and Mother and Godfathers and Godmothers, together with the day of the Childrens birth, and of that when they are baptis'd, which he alſo repeats in two other Councils held in the ſame place, that is in the 4th. and 5th.

XIX.

XIX.

The Names of Fathers and Mothers of unlawful Children or Baſtards, ſhall be Regiſter'd in the Church Book, that they may be known, except ſuch as are born in Inceſt, to the end to extinguiſh the remembrance of ſo heinous a Sin, in which caſe it ſhall ſuffice to name the Mother, with him or her that ſhall preſent the Child. And in all illegitimate, it ſhall be ſaid, that they are not born in Lawful Marriage.

CONFORMITY.

This Article is much the ſame with the precedent One, ſaving only that there is queſtion of Children born in unlawful Copulation, which our Diſcipline requires to have their baptiſm Regiſter'd, on condition nevertheleſs, that it ſhall be obſerved they are born baſtards; it is to what amounts the Ordinance of Cardinal *Borrome*, in the place of the Council of *Millan* but juſt now cited, for he enjoyns, that it be marked in the Church-book, if the Children are begotten in lawful Wedlock.

A Form of Baptiſm of thoſe which ſhall be Converted to the Chriſtian Faith, as well Pagans, Jews, Mahometans, *and* Anabaptiſts, *which have not been Baptiſed; made at the National Synod of the Reformed Churches of* France *held at* Charanton, *in the year,* 1644. *the* 26 *of* December, *and the following Days.*

AFter that the Catechumeny has been ſufficiently inſtructed and Catechis'd to give an account of his Faith, and that the Church ſhall by good Teſtimonies have taken cogniſance of the Integrity of the Perſons Life and Learning, they ſhall by the ſaid Perſons be preſented to the whole aſſembly of believers to be baptiſed in their preſence; And the Miniſter ſhall ſay.

The firſt Demand.

Do you not confeſs that you are a Child of Wrath, deſerving death and everlaſting damnation?

Anſwer, Yes.

Demand. *Are you not diſpleaſed and grieved for all the the ſins you have committed ever ſince you were born, and don't you promiſe for ever to forſake them?*

Anſwer. Yes.

Dem. *Do you not with all your heart forſake the ſeducements and temptations of the* Devil *and his Angels, of all the Pomps and Vanities of the World, and of all the Affections and Luſts of the Fleſh.*

Anſw. Yes.

If

If it be a Pagan the Miniſter ſhall ſay to him.

Dem. *Do you not believe there is one only God which made Heaven and Earth, who ſupports all things by his powerful Word, and in whom we live, move, and have our being?*

Anſw. Yes.

Then the following demand ſhall be made which is common to all, and which are to be offer'd to all.

Dem. *Do you not believe this great God which has created Heaven and Earth is one in Eſſence, and diſtinguiſhed into three Perſons, Equal and Coeternal, the Father, the Son begotten of the Father from all Eternity, and the Holy Ghoſt proceeding Eternal from the Father and the Son?*

Anſw. Yes.

If it be a Pagan, the three following Queſtions ſhall be propos'd.

Dem. *Do you not believe this great God never leaving himſelf without Witneſs, has manifeſted himſelf to Men, not only by his Works, which from their firſt production continually publiſh his Praiſe and Glory, but alſo by revealing his Will for the Salvation of Mankind, contained in the Holy Scriptures called the Old and New Teſtament?*

Anſw. Yes.

Dem. *Do you not believe that all theſe Holy Scriptures are divinely inſpired, and continue the perfect Rule of our Faith and good Living?*

Anſw. Yes.

Dem. *Do you not proteſt to reſiſt the Devil to the laſt minute*

minute of your Life, whom you have hitherto adored, ſerving Idols made with hands, or the hoſt of Heaven, or to conclude, thoſe which by Nature are no Gods?

Anſw. Yes.

If it be a Jew, theſe five Queſtions ſhall be made, omiting the four above expreſſed, they belonging to Pagans.

Dem. *Do you not deteſt the Rebellion and Obſtinacy of the Jews, and dō not you beg pardon for having been ſo long time ingaged therein?*

Anſw. Yes.

Dem. *Do you not believe that what God has been pleas'd to reveal to us of his Will, is contain'd not only in the Books of the Old, but alſo in thoſe of the New* Teſtament?

Anſw. Yes.

Dem. *Do you not believe that Jeſus the Son of the Bleſſed Virgin* Mary, *conceived in her by the ineffable Power of the Holy Ghoſt, and after condemned to dye on the Croſs through the falſe Accuſation of the Jews, by the wicked Sentence of* Pontius Pilate, *raiſed from the dead the third day, and now ſitting in Glory; is God manifeſt in the Fleſh, the Eternal Word of the Father, by which he created and maintains the whole Univerſe, the bleſſed Seed promiſed to* Adam *preſently after his Fall, by vertue of whom the Serpents head is broken, whoſe coming all the Patriarchs expected with Hope, and the great Prophet and true Meſſias foretold as well by* Moſes, *as by the other Prophets which lived after him?*

Anſw. Yes.

Dem. *Do you not believe that the Lord Jeſus is the fulfilling of the Law in Righteouſneſs to all which believe, the truth of his* Types *and Figures, the true Lamb of God which*

which taketh away the Sins of the World, and that in him dwells the fulneſs of the Godhead bodily?

Anſw. Yes.

Dem. *Do you not believe that now the obſervation of Legal Ceremonies is not only ſuperfluous, but alſo wholly prejudicial to a good Conſcience?*

Anſw. Yes.

If the Catecumeny be a *Mahometan*, the Miniſter ſhall ask theſe following Queſtions, omitting the former, which particularly refer to *Pagans* or *Jews*.

Dem. *Do you not believe that the Scriptures of the Old and New Teſtament are inſpir'd of God, and conttain his whole Will for the Salvation of Mankind, and the only perfect Rule of Faith and good Living.*

Anſw. Yes.

Dem. *Do you not believe that Jeſus the Son of the Bleſſed Virgin* Mary, *conceived in her by vertue of the Holy Ghoſt, and made after the Fleſh of her ſubſtance, is God and Man bleſſed for ever, perfect God, and perfect Man, Man made of a Woman in the fulneſs of time, and God ingender'd of God the Father before all Eternity?*

Anſw. Yes.

Dem. *Do you not believe that the Lord Jeſus from his firſt conception after the Fleſh, was Holy, Innocent, without Spot, ſeparate from Sinners, and that he ſuffer'd not Death for his Sins, but for ours?*

Anſw. Yes.

Dem. *Do you not believe that his Death is the propitiation of our ſins, yea, for the ſins of the whole World; and that this propitiation is of infinite Merit, whereby Eternal Glory and Salvation has been acquir'd for us?*

Anſw. Yes.

Dem. *Do you not believe* Mahomet *was a Deceiver, and that his* Alcoran *is a Sacrilegious heap of Dreams full of abſurdities, and broached a purpoſe to ſet up a falſe and abominable Religion.*

Anſw. Yes.

Dem. *Do you not believe that the Goſpel of our Lord Jeſus is the power of God to Salvation in all them which believe, That the only Chriſtian Religion, is the power of God to Salvation in all them which believe, that the only Chriſtian Religion, is that alone whereby God the Father has revealed his good pleaſure for the Salvation of Mankind until the end of the World, that ſince the manifeſtation thereof, there is no other to be expected, that the Lord Jeſus Chriſt only, is the great Prophet promis'd to the Believers of the Old Teſtament, and that God having formerly ſpoken in divers manners to Men, before, and under the Law, has ſpoke to the Church of the New Teſtament by the Mouth of his only Son Jeſus?*

Anſw. Yes.

Queſt. *Repeat the ſummary of your Faith?*

Anſw. I believe in God the Father Almighty, Maker of Heaven, and Earth, *&c.*

If the Catecumene be an *Annabaptiſt*, the Miniſter ſhall ſay,

Queſt. *Do you not believe that the Lord Jeſus is and ſhall be true God and Man in both Natures Eternally, that he was according to his Manhood like to us in all things ſin only excepted, ſo that he was the true Son of* Abraham, *of* David, *of the Bleſſed Virgin, proceeding from their Blood and Seed, and that the ſubſtance of his Body was formed not only of the Virgin, according to what the Apoſtle ſaith, that he was of the Seed of* David *according to the Scriptures, that he was made of a Woman, and that he partook of Fleſh and Blood like other Children?*

Anſw. Yes.

Queſt.

Queſt. *Do you not believe that the baptizing of young Infants is grounded in the Scriptures, and in the continual practice of the Church?*

Anſw. Yes.

Queſt. *Do you not with all your heart renounce the Errors of thoſe which deny it; and are you not ſorry for having hitherto ſlighted it.*

Anſw. Yes.

Queſt. *Do you not believe that the Eſtabliſhing of Magiſtrates is an Ordnance of God, to the which thoſe which refuſe to ſubmit, draw down damnation on themſelves; And that all manner of Obedience after the Will of God is due to them?*

Anſw. Yes.

Queſt. *Do you not believe that this good God which calls us all by the Preaching of his Word to Life and Salvation, has inſtituted ſome Signs and Sacraments in his Church, which Seal and Confirm to us the Covenant of Grace, which is offer'd to us by the Preaching of the Goſpel?*

Anſw. Yes.

Queſt. *How many Sacraments think you there are in the Chriſtian Church?*

Anſw. Two, to wit, *Baptiſme*, and the *Lords Supper.*

Queſt. *Do you not deſire to be inſtructed in the Nature and Uſe of Baptiſme which you deſire in the Church?*

Anſw. Yes.

Queſt. The Miniſter ſhall ſay, *Our Lord ſhews us all in what poverty and miſery we were born, in telling us we muſt be regenerated, for if it be needful our Nature be renewed to have admiſſion into the Kingdom of Heaven, it is a ſign 'tis wholly ſinful and curſed; therein therefore he warns us to be humbled, and caſt down in our ſelves, and in this manner he prepares us to deſire and ſeek his favour,*

whereby all the perverſeneſs and evil of our firſt Nature ſhall be aboliſhed; for we are not capable of receiving it, until firſt we have wholly laid aſide all truſt in our own Strength, Wiſdom, Righteouſneſs, even to condemning all that is in us.

Now when he has ſhewn us our miſery, he then comforts us by his mercy, promiſing to regenerate us by his Holy Spirit to a Holy Life, which ſhall be to us as the entrance into his Kingdom; This Regeneration conſiſts in two parts, which is that we ſhould deny our ſelves, not following the way of our own reaſon, our Pleaſure, and own Will, but ſubjecting our underſtanding and heart to the Wiſdom and Will of God, mortifying all that is of us, and of the Fleſh, afterwards we ſhould follow the light of God, to comply and ſubmit to his Holy Will, as he commands us by his Word, and bads us by his Spirit. The accompliſhment both of the one and the other is in our Lord Jeſus, whoſe Death and Paſſion is of ſuch Vertue, that partaking thereof, we are as it were Dead to Sin, to the end that our fleſhly Luſts ſhould be mortified. In like manner by vertue of his Reſurrection, we may be raiſed to a new Life, which is God, being Govern'd and Conducted by his Holy Spirit which worketh in us things well pleaſing in his ſight. Nevertheleſs the firſt and principal point of our Salvation, is that by his Mercy he pardon and forgives us all our ſins not imputing them to us, but blotting them out that they ſhould not riſe up in Judgment againſt us. All theſe Graces are beſtow'd on us when he is pleaſed to ingraff us into his Church by Baptiſme; for in this Sacrament he aſſures us of the pardon of our ſins; And to this end he hath appointed the Sign of Water, to ſhew us, That as by this Element Bodily filthineſs is waſhed away, he will alſo waſh and purifie our Souls, that there might be no ſpot in them. Then he ſhews us our Renovation, the which lyes, as has been ſaid, in the

Morti-

Mortification of our Fleſh, and in a Spiritual Life which he worketh in us.

So ſhall we receive double Grace and benefit of our God in Baptiſme, provided we do not fruſtrate the vertue of this Sacrament by our ingratitude, which is that we have therein certain aſſurance that God will be a merciful Father to us, not imputing our Sins and Offences.

Secondly, That he will aſſiſt us by his Holy Spirit,, to the end we may reſiſt the Devil, Sin, and the Luſts of the Fleſh, even till we triumph over them, to live in the liberty of his Kingdom, which is the Kingdom of Righteouſneſs.

Seeing then 'tis ſo that theſe two things are accompliſh'd in us by the love of Jeſus Chriſt, it follows that the vertue and ſubſtance of Baptiſme is compris'd in him, and indeed we have no other cleanſing but his Blood, nor no other renewing but in his Death and Reſurrection, but as he communicates to us his Riches, and Bleſſings by his Word, ſo alſo he diſtributes them to us by his Sacraments.

Now herein appears the wonderful Love of God towards us, that thoſe Graces he beſtows upon us, having before the coming of the Meſſias *been reſtrain'd within the People of the* Jews, *and the partition Wall which ſeparated the* Jews *and* Gentiles *being taken away by the Death of Jeſus Chriſt, he ſhed abroad the Waters of his Saving Grace in ſuch abundant manner, on the Children of Men, that in him there is now neither* Jew *nor* Greek, *Male nor Female, Circumciſion nor Uncircumciſion, nor any other Creature elſe, which can hinder us from this great Salvation, that Jeſus Chriſt will be preached to all Nations, and the Covenant of his Love confirm'd by Baptiſme, according to the Commiſſion given to his Apoſtles, ſaying,* Go Preach to all Nations, Baptizing them in the Name of the Father, of the Son, and of the Holy Ghoſt; *And it is this*

this Grace, Brother, which you deſire to partake of by Baptiſme, is it not true?

Anſw. Yes.

Queſt. *But becauſe entring into the Houſe of God every one ſhould take care of his wayes, fearing to prophane the the Sanctuary, in adventuring according to the ſaying of the Wiſe Man, leaſt he ſhould offer the Sacrifice of Fools, and that he ſhould be cleanſed from the Leven and Error of Malice, do you not deteſt all the Errors which are contrary to the Holy Doctrine taught in our Churches.*

Anſw. Yes.

Queſt. *Seeing you are about to receive Holy Baptiſme, do not you promiſe to live and dye in the Faith of the Lord Jeſus heretofore confeſſed by you, accompanying it with a Holy Life and Converſation, and to imploy all your Thoughts, Words, and Actions to glorifie God, and edifie your Neighbours, ſubmitting your ſelf to the Order of the Church, and to the Diſcipline whereby this Holy Order ſhall inviolably be maintain'd.*

Anſw. Yes.

This being done, the Miniſter ſhall add, Let us pray to God that he would be pleaſed to Bleſs this Holy Action, and ſhall pray after this manner.

Lord our God, infinitely Wiſe and Merciful, we Praiſe and Bleſs thy Holy Name, for the favour thy good hand has vouchſafed to ſhed abroad on this thy Servant, who was in the moſt profound darkneſs of the ſhadows of Death when thou didſt illuminate him, cauſing to ſhine on him the ſaving and quickning Light of the Day Star from on high, drawing him from a deplorable hardneſs to ſoften his heart, and freeing him from the bands of Death, to reſtore him to Life; as Lord thou haſt taken away the vail which

was

was on his heart, calling him to confeſs the only true God, and him whom thou haſt ſent, Jeſus Chriſt, and haſt at this time inſpired him with courage to make publick Confeſſion of thy moſt Holy Faith, and of the hope thou haſt cauſed to ſpring in his Soul, enabling him to preſent himſelf in thy ſight to receive Holy Baptiſme, the Seal of thy Covenant, pledge of the remiſſion of ſins, and Symbole of our entrance into thy Houſe by Spiritual Regeneration. Look Lord, more and more on him, with the eye of thy favour, forgiving all his ſins, ſprinkling his Soul with the precious Blood of the Lamb without ſpot, which taketh away the ſins of the Woold, and making him feel the powerful vertue of its propitiation, let thy Spirit ſanctifie and make him a new Creature, to the end that dying to ſin, he may live unto Righteouſneſs, and laying aſide the Old Man with its Luſts, he may put on the New Man, which is renewed in Righteouſneſs and true Holineſs: And as we are about to pour on his head the water of thy Sacrament, ſhed forth on him the Gifts and Graces of thy Holy Spirit, receiving him into the number of thy Servants, and honouring him with the Adoption of thy Children. Enable him to offer unto thee during the whole courſe of his Life, the Obedience and Religious Service which is due unto thee, and for ever to perſevere in thy Holy Covenant, to the end that as now in thy Name, we receive him into the Communion of thy Church Militant, thou wilt vouchſafe one day to receive him into thy Church Triumphant, and gather him for ever into the Aſſembly of the Firſt born whoſe Names are written in Heaven. Hear us O Father of all Mercies, to the end the Baptiſme we confer upon him according to thine Ordinance, may produce its Fruit and Vertue, as 'tis revealed to us in thy Holy Goſpel in thy Son our Saviour Jeſus Chriſt, who has commanded us to pray unto thee, and ſay, Our Father which art in Heaven, &c.

Speaking

Speaking to thoſe who preſent the Catecuminy, the Miniſter ſhall ſay to them.

Queſt.. *As you have been charitably imployed in the Teaching and Inſtructing our Brother, and are Witneſſes of the Baptiſme he is to receive at this preſent by our Miniſtry; Do you not promiſe in the preſence of God and this Holy Aſſembly, to continue more and more to ſtrengthen him in the Faith, and exhort him to good Works.*

Anſw. Yes.

This being done, ſpeaking to the Catecumeny which waits, kneeling to receive Baptiſme, powing the Water on his head, the Miniſter ſhall ſay, Having ſeen the Teſtimonies of your Faith, N. I Baptiſe you in the Name of the Father, of the Son, and of the Holy Ghoſt; *Amen.*

CONFORMITY.

There is nothing in all this formulary as large as it is, which is not found in ſubſtance in what we have remaining of the Catechiſms of the Antient Doctors of the Church, and in what was practis'd towards thoſe to whom Baptiſme was to be conferr'd; and becauſe moſt part of thoſe which converted themſelves to the Chriſtian Faith, turn'd from Paganiſme, where they had learn'd to believe and ſerve ſeveral Gods, the firſt ſtep they were made go in the way of Salvation, was to make them renounce this Diabolical Doctrine, afterwards to believe, and be throughly perſwaded that there is but one True God, which has made Heaven and Earth, that ſupports all things by his Almighty Word, who gives us our Life, Being, and Motion, who ne-

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ver left himſelf without Witneſs, and has manifeſted himſelf to Men, not only by his Works, but alſo by Revelation of his Will, contained in the Holy Scriptures of the Old and New Teſtament. *The firſt act of Faith of the Catecumeny's*, ſaith St. *Cyril* of *Alexandria* in the third Book of Adoring in Spirit and Truth, *is to depart from the belief and opinion touching the plurality of Gods, and to imbrace him who is the only true God by Nature.* Tom. 1. pag. 93.

Theodolphus Biſhop of *Orleans* in a Treatiſe he made of the Order, which is to be obſerv'd in the adminiſtration of Baptiſm, eſtabliſhes near hand the ſame practiſe when he writes in chap. 2. that the firſt inſtruction which is given to Catechumenies, is, that there is one true God, to the end that leaving the worſhip of the creature, they ſhould Conſecrate themſelves to the Worſhip of God the Creator.

It's true that when 'twas a *Jewiſh* Proſelite, he was obliged before Baptiſme, to renounce particularly all legal Ceremonies, to the Ancient, Material and Typical Worſhip, to the *Jewiſh* Waſhings and Purifications, to their Feaſts, their New Moons and Sabbaths, and generally to all that pertained to the Synagogue, eſpecially to the falſe Meſſias they yet expect, and will never come. Moreover they were to make open profeſſion to believe in God the Father, Son and Holy Ghoſt, Holy, Conſubſtantial and individual Trinity, that they ſhould admit of the Incarnation of the Eternal Word Jeſus Chriſt our Saviour, in confeſſing he is come into the World, and that he is made Man, but not ceaſing to be God, the Holy Virgin having brought him forth after the Fleſh, and by this means being become the Mother of God. It is after this manner they proceeded with the *Jewiſh* Proſelites, as we find by a Catechiſm in the Ritual of the Pag. 344. Par. 1647

Greeks, which in ſubſtance anſwers to what's preſcrib'd in our Diſcipline.

But if it was a *Mahumetan* that imbraced the Chriſtian Religion, the firſt thing that was requir'd of him, was to Anathematiſe Mahomet, his Sectators, his Succeſſors, his lying Alcoran, full of Impoſtures and Dreams, eſpecially in what regards our Saviour Jeſus Chriſt; in a Word, all the impieties which depend of the Carnal Religion of this infamous Impoſtor of the Eaſt; which being done this Proſelite made this Declaration; *I now adhere to Jeſus Chriſt the only true God, I believe in the Father, the Son, and the holy Ghoſt, holy, indiviſible and conſubſtantial Trinity, I believe the Miſtery of the Incarnation, and the coming into the World of one of the holy Trinity, that is, of the Word and only begotten Son of God, who was begotten of the Father before the World began, by whom all things were made, and I am perſwaded he is true Man without being diveſted of his* Divinity, *for he is true* God *and true Man, without confuſion, without converſion, and without alteration, with two Natures in one ſole Perſon; I confeſs alſo he ſuffered all things voluntarily, that he was crucified according to the Fleſh, the* Divinity *remaining impaſſible, that he was buried, that he roſe again the third day, that he aſcended into Heaven, and that he will come in glory to Judge the quick and the dead; to conclude, I confeſs and believe that the holy Virgin is properly and truly Mother, and the Mother of a God which made himſelf Man.*

Thoſe who deſire to be more fully informed of what I have now diſcourſed, may Read the formulary of *Nicetas* whereof I have made mention on the 3 article of this chapter, and in the place I marked.

After all, 'tis moſt certain the Catechumeny were inſtructed on all the articles of the Symbol, which comprehend the principal points of Chriſtianity, and the eſ-

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ſential and capital points of Religion; the Catechiſms of St. *Cyrill* of *Jeruſalem* ſhew ſo much, ſeeing he there Explains all thoſe ſaving truths, which thoſe ought to know which fitted themſelves to receive holy Baptiſm: in effect, they often heard mention made of God the Father and the Work of Creation, with the Titles of Father, of Almighty, and of Creator, which are given to him; of Jeſus Chriſt, and of the work of Redemption with his quality of only begotten Son of God; of the Holy Ghoſt, and the Work of Sanctification; they were taught there were three Perſons in Unity of One and the ſame Eſſence; that the ſecond Perſon of the Trinity took on him our Nature in the Womb of the Virgin *Mary* by the Operation of the Holy Ghoſt, to the end he might dye, and by his death make Expiation for our Sins, fully ſatisfie his Fathers Juſtice for us, appeaſe his Wrath, and reſtore us into his Favour.

They often heard mention made of his Perſon, of his two Natures, Divine and Humane, of his Imployments and Offices, of the Miſteries of his Incarnation, the Wonders of his Birth, the Holineſs of his Life, the Glory of his Miracles, the meanneſs of his Croſs, the ſhame of his Sufferings, the power of his Reſurrection, and the Glory of his Aſcenſion and of his Triumph; thence they proceeded to the Explication of the Article of the Holy Ghoſt whoſe Divinity and Operations were eſtabliſhed; Jeſus Chriſt having ſent Him from Heaven on the Apoſtles for the eſtabliſhing his Kingdom, and for Illuminating and Sanctifying thoſe which he was effectually to call to the Communion of his Goſpel. To conclude, they were made underſtand the Nature of the Holy Church which was to beget them anew unto God, of the Graces he beſtows on it in this Life, and of the Glory he prepares for it in that which is to come. All theſe things

are at large treated of in the Catechiſms of S. *Cyril* which I have cited; and they are ſeen more ſuccinctly in the 7 chapter of the little Treatiſe of *Theodulphus* of whom I have alſo ſpake, and in that of *Amalarius* Arch-Biſhop of *Treves*, dedicated to *Charlemain* in the works of *Alcuin*.

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Beſides, it muſt not be thought that in the ancient Church they ſatisfied themſelves with explaining to the Catechumenies the things which I but now touched, it was alſo neceſſary they ſhould give an account in anſwering the queſtions put to them on each article; according to which *Euſebius* makes mention in his Eccleſiaſtical Hiſtory of a man, *which had aſſiſted at the Baptiſm of thoſe which had been newly Baptiſed, and he ſaid, he heard their Queſtions and Anſwers*: St. *Cyprian* in his 70 Epiſtle ſpeaks alſo of this cuſtom, when he ſaith, the Queſtion it ſelf made at Baptiſm, is witneſs of the Truth. *Firmillian* Biſhop of *Ceſaria* in *Cappadocia* teaches us the ſame thing, when ſpeaking of a woman which boaſted to be a Propheteſs, he ſaith that to give the more colour to her Deluſions, *she Baptiſed ſeveral perſons uſing the uſual words which were wont to be implyed in the Interrogations, to the end her Baptiſm ſhould not ſeem to differ in any thing from the Eccleſiaſtical Rule, ſeeing that neither the Symbol of the Trinity, nor the uſual and Eccleſiaſtical Interrogations was omitted by her.*

Lib. 7. c. 9.

Apud Cypri. Ep. 75. pag. 147.

It is to which doubtleſs the firſt Council of *Arles* had regard, when in the year 314 it appointed in the 8th. of it's Cannons, not to re-baptiſe Hereticks, if after Examining them on the Creed, one found that they had been Baptiſed in the Name of the Father, of the Son, and of the Holy Ghoſt; but only thoſe amongſt them who being interrogated, anſwered not this Trinity, that is to ſay, to the queſtions made them touching the Trinity of Perſons, and unity of their Eſſence.

Tom. 1. conc. Gal. pag. 6.

St.

St. *Cyril* of *Jeruſalem* has not forgot this Circumſtance in his two Myſtagogical Catechiſms, no more than *Optatus* of *Mileva* in his 5th. Book againſt *Parmenian*; nor St. *Jerom* in the 5th. Chapter of his Dialogue againſt the *Luciferians*, nor St. *Auſtin* in the 20th Chapter of the 5th. Book againſt the *Donatiſts*, and he even tells us in his 23th. Epiſt. to *Bonifacius*, that when Little Children were Baptiſed, thoſe which preſented them, anſwered for them to all the Interrogations which were made, and the Author of the Book of Eccleſiaſtical *Dogma's* in the Appendix of the 3d. Tome of his Works, eſtabliſhes the ſame Cuſtom in the 52 Chap. The Author of the Book of Sacraments in the 4th. Vol. of the Works of St. *Ambroſe*, alſo obſerves this Cuſtom in the 7th. Chap. of the 2d. Book. And a great while before, *Tertullian* in the 3d. Chap. of the Book of the Crown, had made mention of the Anſwers of thoſe which were Baptiſed; therefore he could have wiſhed they had deferr'd the Baptiſm of Children, until they were in a ſtate of being able to give an account of their Faith; which opinion St. *Gregory* of *Nazianzen* ſeemed alſo to approve. Pag. 86. Par 1631

In the book of Sacraments of *Gregory* I. it is demanded of the Party to be baptiſed, *Do you believe in God the Father Almighty, maker of Heaven and Earth?* He anſwers, I do believe. *Do you believe in Jeſus Chriſt his only Son our Lord, which was born, and ſuffered?* I do believe. *Do you alſo believe in the Holy Ghoſt? do you believe the holy Catholick Church, the Communion of Saints, the forgiveneſs of Sins, the Reſurrection of the Body, and the Life Everlaſting?* I do believe. *Do you deſire to be Baptiſed?* I do. Somthing to this purpoſe is to be read in the book of Sacraments, whereof I made mention in the foregoing Section, and in the place I noted. Beſides, there's great probability that St. *Peter* made Alluſion to this practice when Pag. 73.

when he ſaid in the 3d. Chap. of his firſt Epiſtle, that the Baptiſm whereby we are ſaved, is not that whereby the filthineſs of the Fleſh is waſhed, *but the witneſs of a good Conſcience in the ſight of God the Reſurrection of Jeſus Chriſt.* The *Greek* Word which we have tranſlated Witneſs, ſignifies properly *Interrogation.* I add for a Concluſion of theſe matters, that thoſe which were to be baptiſed were bound to recite the Symbol of their Faith, to renounce the Devil, to his Power, and his Angels; to acknowledge that they were by Nature Children of Wrath, and to ſhew Repentance and Sorrow for their Sins committed during the time of their Ignorance, and if they were inſtructed in the knowledge of Heavenly things, they were alſo taught to live well, that is to ſay, holily, and in a way anſwerable to their Vocation. The Nature and Fruits of Baptiſm was explain'd to them. They had alſo ſome Light of the Euchariſt ſhewed them, becauſe they did communicate preſently after being baptiſed, and all theſe things were accompanied with Ardent Prayers to God as well to render him thanks for calling them to his bleſſed Communion, as to implore his Grace and Benediction on them at the very inſtant that he honour'd them with the ſeal of his Covenant, and Sacrament of our Salvation. After all I have ſaid, the perfect reſemblance may eaſily be ſeen which is found in the Matter I Examin, betwixt our practice and that of the Ancient Church, if you except what regards *Anabaptiſts*, which appearing but in the laſt Century, could be neither the Subject nor Matter of any of the Decrees of the Cannon Law.

CHAP.

CHAP. XII.

Of the LORDS SUPPER.

ARTICLE I.

WHere there is not a settled Church, it is not permitted to celebrate the Lords Supper.

CONFORMITY.

The reason of this First Article is, because the Lords Supper is so called by reason of the Communion of those which participate thereof, it is the Opinion of St. *Chrysostom* which he has thus Expressed, *The Apostle calls it the Lords Supper, because all those which are invited, take it in common, with concord.* The Author of the Commentaries on St. *Pauls* Epistles in St. *Jerom's* Works, saith, *That the Lords Supper ought to be common to all*: The Lords Supper, saith St. *Isidore* of *Sevil*, is so called, from the Communion of those which Eat of it, and the Communicants, from their assembling in Common; thence it is that *Justin Martyr* writes in his first Apology that they assembled on Sundays from the Cities, and from the Country round about, to hear the Word of God, and to partake of the Holy Sacrament, and he also observes they sent some to the absent, to shew doubtless the Communion they had together, and I can't tell but 'twas with respect hereunto that the Council of *Laodicea* conceived in these Terms the 58th. Cannon; *Bishops nor Priest must not make Oblations in private Houses*: that is to say, that they should not there Celebrate the Eucharist, which was not begun to be celebrated without Communicants till

Hom. 21. Tom. 5. pag. 312.

In 4 Cor. 11.

Orig. l. 20. pag. 132.

pag. 93. cum. 97.

Part. 1. c. 11. till about the 12th. Century; as I have ſufficiently proved in the Hiſtory of the Sacrament.

II.

Children under twelve years of Age ſhall not be admitted to the Lords Supper, but above this Age, it ſhall be at the diſcretion of the Miniſters to Judge of thoſe which ſhall be fit to be admitted or not.

CONFORMITY.

It may ſeem to be collected from the place in St. *Juſtin Martyr*, which I cited on the other Article, that only perſons of Age, and not little Children were admitted to the Holy Sacrament, and it is very probable that *Tertullian* was of this Opinion, becauſe he thought fit to defer the Baptiſing of Children for ſome years, as well as *Gregory Nazianzen*, as I ſhewed on the foregoing Chapter; It's true that ſince the time of St. *Cyprian* until about the 12th. Century, Children were received to the Communion; but this Cuſtom is juſtly rejected by thoſe alſo of the Church of *Rome*, as well as *Proteſtants:* In effect, young Children are incapable of the Examination St. *Paul* requires of thoſe which approach to the Holy Table.

III.

Prieſts, Friers and other Eccleſiaſtical Perſons of the Church of Rome, *ſhall not be admitted to the Lords Supper, until they have firſt made confeſſion in publick of their paſt life and profeſſion.*

CON-

CONFORMITY.

This practice is wholly conformable to that of the firſt Chriſtians, *It is not permitted unto any one whatſoever, ſaith, St.* Juſtin Martyr, *to partake with us of the Sacrament, unleſs he be fully perſwaded of the truth of our Doctrine, that he has been Baptized to obtain Remiſſion of his Sins with a new Birth, and that he lives according to the Laws of Jeſus Chriſt.* Apol. 1. p. 97, 98.

IV.

Dignitaries which bear the Name and Title of their benefices, and thoſe which therewith mingle Idolatry Directly or Indirectly, whether they enjoy their Benefices by their own hands, or by the hands of others, ſhall not be admitted to the Lords Supper.

CONFORMITY.

Thoſe here deſcribed not being in the State nor Diſpoſition deſired by *Juſtin Martyr*, they cannot be received to the Holy Communion in a Chriſtian Society, whoſe Doctrine they do not believe, or that don't gather themſelves within the Laws, and under the Diſcipline obſerved in the midſt of them.

V.

Miniſters ſhall be warned not to receive to the Lords Supper, Perſons of other Churches, unleſs they have ſufficient teſtimony from its Miniſter, or in default thereof from an Elder, if it poſſible may be.

CONFORMITY.

The Church has obſerved this Order from the Firſt Ages; for the Council of *Antioch* in the Year 341 forbids in the Seventh Cannon, to admit of any Stranger without having *Pacifick Letters*. The Seventh Cannon of the Firſt Council of *Carthage* Aſſembled under *Gratus* about the Year 348, ſpeaks alſo more clearly, forbidding plainly both Clergy and Layity to communicate in any other Church without their Biſhops Letter; The Author of Apoſtolical Conſtitutions preſcribes almoſt the ſame thing. In the Third Volumne of the *French* Councils, there is a Synod of *Nants*, the time it held is ſomewhat uncertain, the Two Firſt Cannons whereof are imployed to confirm this ſame practice.

Lib. 2. c. 51.

Pag. 601, 602.

VI.

A Man that's Deaf and Dumb, which by evident Signs, Tokens, and Geſtures, ſhewing his Piety and Religion what he can, may be admitted to the Holy Sacrament, when by a long Experience of the Holineſs of his Life, the Church ſhall perceive he has Faith, and ſhall be truly taught of God.

CONFORMITY.

The Church never required of Communicants, more than a Holy Mind and Diſpoſition; wherefore if it is found in a Deaf and Dumb Man, and that he gives ſigns of it, he ought to be admitted to the Sacrament, and when I ſpeak of the Church, I mean that of the Primitive Chriſtians; for in proceſs of time, they impoſed on Communicants an Obligation of Auricular Confeſſion;

feſſion; eſpecially ſince the days of *Innocent* the Third, who made the firſt Decree for it in his *Lateran* Council in the Year of Chriſt, 1215.

VII.

The Bread of the Sacrament ought to be adminiſtred to thoſe which cannot drink Wine, in making proteſtation that 'tis not through contempt, and doing what they can poſſible towards it, by putting the Cup as near their Mouth as they poſſible can, to avoid giving any manner of Offence.

CONFORMITY.

This is a wiſe and charitable condeſcendence towards an inſurmountable weakneſs of Nature; it was by this Principle the Antient Church gave the Sacrament mixt and ſoaked, to thoſe who lay at the point of Death, ſo it was practis'd in the Third Century towards a certain Old Man called *Serapion*, who was a dying Penitent, for a Prieſt of *Alexandria*, ſent by a Young Man, a little, or a Portion of the Sacrament, commanding it ſhould be ſteept, and put in the Old Mans mouth that he might ſwallow it down; but this was not done, but in caſe of great neceſſity; as *Hugh Maynard* a Learned *Benedictin* obſerves in his Notes on the Book of Sacraments of *Gregory* the Firſt. The ſame favour was uſed towards Young Infants in the times as they were admitted to the participation of the Sacraments; and not that only, but Pope Paſchal who ſucceeded *Urban* the Second, in the year 1099 commanded that the Two Symbols ſhould be diſtributed apart, except 'twere to little Children, and to ſuch as are extream ſick, for to ſuch he permits that they might be communicated with the Wine only, Apud. Euſeb. l. 6. c. 44.

becauſe they cannot ſwallow Bread, The charitable Indulgence then allowed by our Diſcipline towards ſuch as have an invincible averſion and antipathy againſt Wine, ought not to be blamed.

VIII.

It remains in the Liberty of Miniſters, in diſtributing the Bread and Wine, to uſe the accuſtomed words, the thing being indifferent, provided words are uſed that tend to Edification.

CONFORMITY.

When Jeſus Chriſt gave to his Apoſtles the Sacrament of Bread, he ſaid, *this is my Body*, and in giving them the Symbol of Wine, this is my Blood, or, this Cup is the New Teſtament in my Blood. As for the Apoſtles we do not find they ſaid any thing. In the time of *Juſtin Martyr*, the Giver, nor the Communicant ſaid nothing, but the Deacons gave to the faithful Bread and Wine, which had been Conſecrated; And 'tis gathered from *Clements* of *Alexandria*, that 'twas ſo practis'd at the end of the Second Century, ſometime after, it was ſaid to Communicants in giving them the Sacrament, *The Body of Chriſt, The Blood of Chriſt.* In the Sixth Century and after, it was ſaid, particularly in the Weſt, *The Body of our Lord Jeſus Chriſt preſerve you to Everlaſting Life*; *The Blood of our Lord Jeſus Chriſt Redeem you to Eternal Life*: The *Greeks* ſay at this time, *You participate and communicate of the Holy Body and Pretious Blood of our Lord and Saviour, Jeſus Chriſt, for the Remiſſion of your ſins, and to Life Everlaſting*; Amongſt us is commonly ſaid, *This is the Body of Jeſus Chriſt*,

Apol. 1. pag. 97.

Strom. lib. 1. pag. 271.

Euchol. p. 83.

Chriſt, this is the Blood of Jeſus Chriſt. The Church as any one may ſee, having at all times uſed a great freedom in this matter.

IX.

The Churches ſhall be advertis'd, that the Cup is to be adminiſtred by the Miniſter.

CONFORMITY.

As Jeſus Chriſt Bleſſed and Conſecrated his Euchariſt, ſo he alſo adminiſter'd it, for there was none but him, that did the Office and Duty of a Miniſter. A little more than a Hundred years after, Chriſtians received the Communion from the hands of Deacons, as we find by *Juſtin Martyr*, a practice obſerv'd a long while, but with ſome difference; and 'tis probable thoſe who did ſo, grounded themſelves on what is ſaid in the VI. chap. of the *Acts*, that Deacons ſhould ſerve at Tables, as if by this Expreſſion was to be underſtood the diſtributing the Sacrament at the Holy Table, whereas it means no more but the diſtributing of Alms and Charities, to Widows and Orphans, and in general to the Poor of the Church. After all, *Tertullian* obſerves it was not received but of the hand of him which preſided, that is to ſay, of Paſtors, and probably 'twas in his time the uſe of the Churches of *Africa*, which doubtleſs were more conformable to the Example and Practice of Jeſus Chriſt, to which we may add what is ſaid by St. *Chryſoſtome* in his Forty Sixth Homily on St. *Matthew*; *The Prieſt only is permitted to diſtribute the Cup of the Blood of Jeſus Chriſt*: The *Greek* word deſigns alſo Biſhops, as well as Sacerdos, which the Interpreter has uſed.

Apol. 1. pag. 97.

Lib. de Coron. c. 3.

X.

X.

Inaſmuch as diſtributing the Lords Supper, ſeveral ſick Perſons came to receive, which occaſions that ſeveral make ſcruple of drinking the Wine after them, the Paſtors and Elders ſhall be warn'd to take prudent care, and give good Order therein.

CONFORMITY.

It is a prudent and cautious Eſtabliſhment, to avoid greater inconvenience.

XI.

Thoſe who have been a long time in the Church, and will not communicate of the Lords Supper if they do it through contempt, as for fear of being obliged to forſake all manner of Idolatry, after ſeveral admonitions, they ſhall be cut off from the body of the Church; but if it be by infirmity, they ſhall be borne with for ſome time, until they can be Eſtabliſhed.

CONFORMITY.

There's nothing in this Article that differs from the practice of the Antient Church, which obliged all thoſe which heard the Word of God to participate of the Lords Supper; 'tis what is intimated by the Second Cannon of the Council of *Antioch*, *Thoſe which enter into the Aſſemblies, and hear the Holy Scriptures, but by a certain looſeneſs, do not communicate in Prayer with the People, and deprive themſelves of the participation of the Lords* Supper;

Supper, let ſuch be caſt out of the Church. The Ninth of thoſe attributed to the Apoſtles, and which probably was borrowed of that of *Antioch*, is no leſs poſitive; *All the Believers which enter into the Church, and that hear the Reading of the Scriptures, but which ſtay not for the Prayers, nor do receive the Holy Sacrament, let them be cut off, becauſe they give offence to the Church.* Thence it is that in the Eleventh chap. of the Eighth Book of Conſtitutions, called the Apoſtles, it is Ordained, *That the Deacons ſhould ſtand at the Doors where the Men ſit, and the Under-Deacons of that of the Women, to hinder that no body go out during the time of the Oblation; that is to ſay, during the time of celebrating the Euchariſt.*

XII.

Thoſe which frequent the Chriſtian Congregations but on the Communion Day, ſhall be reprov'd, and warned to do their Duty, and even to this purpoſe, to joyn to one certain Church.

CONFORMITY.

The Author of Conſtitutions which go in the Apoſtles Names, preſcribes to Believers, to frequent the Holy Aſſemblies not only when the Lords Supper is celebrated, but alſo on all other Dayes, there to attend on calling on the Name of God, in ſinging Pſalms, and the hearing of his Word; The 80*th* Cannon of the Sixth Oecumenical Council does depoſe Church-men, and Excommunicate Lay Perſons, who being in Town, paſs Three Sundays without being preſent at the Holy Exerciſes made in the Aſſemblies of the Church.

Lib. 2. cap. 59.

Tom. 5. Conc. pag. 344.

XII.

XIII.

Thoſe which make it their practice to hear Sermons in one Church, and to receive the Holy Sacraments in another, ſhall be advertis'd and ſenſur'd, and ſhall aſſociate themſelves to the neareſt and moſt convenient Congregation, as ſhall be adviſed by the Colloque.

CONFORMITY.

Apol. 1. pag. 97. In the time of St. *Juſtin Martyr*, the Chriſtians met together in one place from City and Country, not only to hear the Word of God, but alſo to receive the Holy Sacrament. The Council of *Agde* in *Languedock*, which Tom. 1. Conc. Gall. cap. 21. p. 165. held in the Year 606, ſuffers thoſe that are far from Pariſh Churches to have private Oratories for the eaſe of their Families, nevertheleſs enjoyns them to be preſent at their Pariſhes on the chief and ſolemn Feaſts of the Year.

Tom. 2. cap. 9. pag. 157. *Charlemain* in his Capitulary of the Year 789, requires it ſhould be done on all Holy Dayes, and Sundays, and forbids private Perſons to deſire Prieſts to ſay Divine Ibid. cap. 45, 46, p. 223 Service in their Houſes on thoſe Dayes. *Theodulph* Biſhop of *Orleans* preſcribes the ſame thing in his, in the Year 797; to this ſame Diſcipline may alſo be referr'd the Second Cannon of the Council of *Nants*, whereof I ſpake on the Fifth Article.

XIV.

Although in our Churches the Lords Supper is not wont to be celebrated above four times a year, yet it were to be deſired it were celebrated oftner, the due Reverence thereunto belonging being obſerved, becauſe it is very neceſſary that the

moſt

moſt upright may be Exerciſed, and Mercies in Faith by the frequent uſe of the Sacraments, *as alſo the Example of the Primitive Church doth teach us: And therefore the National* Synod *ſhall give Direction as the good of the Church ſhall require.*

CONFORMITY.

The lukewarmneſs of Chriſtians in Piety has been the cauſe that Communions have been leſs frequent than they were in the Primitive times. Therefore our Diſcipline has ſetled them at four times a year, deſiring nevertheleſs that People were in a ſtate fit to Communicate oftner. The Council of *Agde* which I cited on the foregoing Article, reduces it to Three times in the 18*th.* Cannon. That of *Autun*, in the Supplement of *French* Councils, doth the ſame in the Year 630. *Atto* Biſhop of *Verceil* in the Tenth Century renews that of *Agde*, in its Capitulary. *Ratherius* of *Verona* in the ſame Century, ſpeaks of Four times a year in his Synodal Epiſtle to the Prieſts of his Dioceſs, which is inſerted by *Don Luke De Achery* in his ſecond *Spicilegium*. *Peter de Celles* in his Treatiſe of Monaſtical Diſcipline, which is in the Third *Spicil.* writes, *That 'tis ſufficient for a Lay Perſon to communicate once a year.* The Council of *Trent* in the Thirteenth Seſſion under *Julius* the Third, *Anno* 1551, the 11*th* of *October*, *Anathematiſes* in the Ninth Cannon, all thoſe that ſhall deny that Believers of both Sexes are obliged to communicate at *Eaſter*, at leaſt once a year, although in the 22*th* Seſſion, which is the Sixth under *Pius* the Fourth in the Year 1562, and the 17*th* of *September*, touching the Doctrine of the Sacrifice of the Maſs, chap. 6. The Synod deſires that all the Believers which are preſent ſhould communicate, not only

Can. 14. p. 71.

Tom. 8. Spicil. c. 73. pag. 27.

pag. 94.

Tom. 9. Conc. p. 382.

Ib. p. 402.

by a Spiritual affection and desire, but also by a Sacramental participation, which Cardinal *Borrome* has not failed to observe, and confirm, in some of the Councils
Ib. p. 453, 517, 549. which he held at *Millan*. I almost forgot the Fiftieth Cannon of the Council of *Tours*, assembled *Anno* 813. *That Lay Persons communicate at least thrice a year, if they cannot receive oftner, unless that they were hindred by some great Sin*; which is repeated word for word in the 45*th*. chap. of the Second Book of the Capitularies of our Kings. *Theodulphus* Bishop of *Orleans*, contented himself at the end of the Eighth Century, to warn Believers that they should not abstain too long from receiving the Holy Sacrament, and to procure the qualities fit and necessary when they intended to approach
Ib. c. 44. pag. 223. to so great a Sacrament. *Honorius* of *Autun* observes in the Tenth Volumne of the Library of the Holy Fathers, *pag*. 1198. that 'twas agreed on by reason of worldly Men, that one should communicate either every Lords Day, or every Third Sunday, or on great Holy Dayes, or three times a year.

CHAP. XIII.

Of MARRIAGES.

ARTICLE I.

THose which are under Age cannot Contract Marriage without consent of their Father and Mother, or others under whose care they are committed, nevertheless if their said Father and Mother be so unreasonable as to refuse to agree to a thing so Holy and Profitable, even doing it in hatred

hatred to Religion, the Conſiſtory ſhall adviſe the Parties to have their recourſe to the Magiſtrate.

CONFORMITY.

The Diſcipline of the Antient Church has provided for what ours doth here enjoyn, and hath taken care to keep Children in the reſpect and obedience which they owe to their Parents, forbidding them to marry without their conſent, and 'tis not only in regard of Children it does ſo, but alſo in regard of all ſuch as are under Tuition of others; It is the matter and ſubject of the 42 Cannon of St. *Baſil*'s ſecond Canonical Epiſtle. *Marriages made without conſent of thoſe under the power of whom one is, are Fornications, thoſe then who marry during the Life of Father, or Guardian, are not excuſable till their conſent be had, for then the Marriage becomes lawful, and receives the vertue which it ought to have*: This Cannon is as 'twere an abridgement of Two preceeding ones, as is obſerv'd by *Balzamon* and *Zonares*, *Greek* Cannoniſts, who pretend that Marriage is void without the conſent I but now ſpeak of, and that it ought to be diſſolv'd. The 23*th* Cannon of the ſame Epiſtle is alſo very full to this purpoſe, *Maids which follow their Lovers without conſent of Father*, &c. *live in Fornication, but if Father and Mother are reconcil'd to them, the thing ſeems to be ſetled in a good ſtate by this remedy; nevertheleſs that they be not admitted to partake of the Lords Supper until after three years Pennance*: Whereupon the ſame *Greek* Cannoniſts above-mentioned, obſerve, that the conſent of Parents, that is to ſay of Father and Mother, doth change Fornication into lawful Marriage, without departing at all from the ſenſure contain'd in the Cannon. Tom. 3. p. 33.

Tom. 1. Conc. Gall. p. 265 Ib. p. 315 pag. 504. The 22*th* Cannon of the Fourth Council of *Orleans*, in the Year 541, prohibits the taking a Maid in Marriage without conſent of Father and Mother, the Sixth of the Third Synod of *Paris*, *Anno* 557 forbids alſo the ſame thing. The Third Council of *Toledo* made a like Decree Thirty Two years after the Synod of *Paris*, and 'tis ſtill to be ſeen in the Fourth Volumne of the Councils, and in the Tenth Cannon, it is to what amounts the 358 chap. of VII. Book of the Capitularies of *Charlemain*, and *Lewis* the *Debonnaire*. *Photius* Patriarch of *Conſtantinople* ſaies the ſame in the Fifth of his Letters taken out of an Ancient *Eaſtern* Manuſcript; there is not ſo much as the very cheat that has forg'd pag. 391. Two Decrees in the Name of Pope *Evariſtas*, but has in the firſt of them taught the ſame Doctrine, and word for word as it is expreſſed in the Capitulary, but now cited; ſo that of neceſſity one muſt have borrowed it of the other. It is eaſie to judge after all I have hitherto ſaid, Whether the Council of *Trent* does march in the ſteps of the Antient Tradition, when in the 24*th* Seſſion, which is the Eighth under *Pius* the Fourth, in the Year 1563, and in the Firſt chap. of the Decree Tom. 9. Conc. p. 411. touching the Reformation of Marriage, *It anathematiſes thoſe which affirm Marriages contracted by Children without conſent of the Father and Mother are void, and that the Father and Mother may break or ratifie them: a Condemnation wherein Pope* Celeſtin *the Firſt is concern'd if we believe what* Gratian *reports of him in the Firſt Volume of the Councils*, cap. 4. p. 910.

Whereas our Diſcipline adds, That if Fathers and Mothers ſhould be ſo unreaſonable as not to conſent to ſo holy and profitable a thing, the Conſiſtory may adviſe the Parties to have their recourſe to the Magiſtrate; it ſays nothing therein but what is agreeable to the Antient

tient Practice, as we find by the Letter of *Photius*, which I mention'd; for he declares that then the Judge may take cognizance of the Marriage, and declare it lawful, in preferring the protection of the Children, and their lawful deſire, before the perverſeneſs of Father and Mother. pag. 392.

II.

As for thoſe which are of Age and in poſſeſſion of their own Rights, they ſhall be warned by the Miniſters and Publick Aſſemblies of the Church, not to make any promiſe of Marriage but in preſence of their Parents, Relations, Neighbours, and good Friends; and thoſe which do otherwiſe ſhall be cenſur'd of their lightneſs, and ſlight of the ſaid warning; and 'twere to be wiſhed the ſaid promiſes of Marriage were made with invocation on the Name of God.

CONFORMITY.

This Eſtabliſhment was made to prevent Clandeſtine Marriages; there are put into the Firſt Volume of the Council, ſome Decrees attributed by *Gratian* to Pope *Celeſtine* the Firſt, which in the 4*th*, ordains that Parents of both Sexes ſhould be preſent to witneſs the Marriage. *Paulinus* Biſhop of *Aquilea*, in the Council he cauſed to aſſemble in a part of his Dioceſs called *forum-Julii*, deſires the Neighbours and chief of the place, ſhould be preſent at Contracts of Marriage, to prevent the miſchiefs may enſue by Clandeſtine Marriages. The Council of *Trent* in the 24*th* Seſſion which I mention'd on the other Article, and in the ſame Decree of Reforming Marriages, chap. 1. Will, That it be done in preſence of the Curate, or ſome other Prieſt that ſupplies his place,

place, and of Two or Three Witneſſes; Which thing is renewed by Cardinal *Borrome*, in the Fifth and Sixth Councils of *Millan*.

III.

Believers which are of Age, although they have been marryed, yet ſhall ſo far honour their Father and Mother, as not to conclude upon Marriage without firſt communicating it to them, and for not ſo doing, ſhall be ſenſur'd by the Conſiſtory.

CONFORMITY.

We have already ſeen on the Firſt Article, That Children under Power of Father and Mother, cannot lawfully contract Marriage without their conſent. In this there is mention of thoſe which have already been marryed, and who being deſirous to marry a ſecond time, ought in civility to impart it to them. St. *Ambroſe* in the Ninth chap. of the Firſt Book, touching *Abraham* requires that the Widow Woman which intends to remarry, ſhould refer to Father and Mother to make choice of the Perſon which ſhe ought to marry. *Balzamon* and *Zonaras* explaining the 42 Cannon of St. *Baſils* ſecond Canonical Epiſtle, diſtinguiſhes Widows which are under the power of any Relation, from thoſe which depend only of themſelves; And for theſe laſt, they pretend they are at liberty to marry to whom they pleaſe, ſo it be in the Lord, and according to the Laws and Cannons; but as for the others, they think they ought to have the conſent of thoſe under whoſe Tuition they are, and who, without it, have right to diſſolve the Marriage. There is in the Third Tome of the Councils

Councils a Decree Attributed to ſome Council of *Arles*, where there's mention of the Marriage of Widows, and of the conſent of Fathers and Mothers. pag. 823.

IV.

Fathers and Mothers making profeſſion of the Reformed Religion, whoſe Idolatrous Children would contract Marriage with Idolatrous Wifes, ſhall be warn'd as much as poſſible to divert their Children from ſuch Marriages; and eſpecially when they are not too haſty, the Fathers ſhall imploy their Paternal Power to hinder them; if they cannot prevail with them, being preſent when contract marriage is paſſing, they ſhall declare to have abhorrence of the Idolatry wherein their Children do more and more plunge themſelves; which being done, the ſaid Fathers may conſent to the promiſes and condetions concerning the Portion, and the like; and ſhall repreſent in Conſiſtory the endeavours they have uſed to prevent ſuch marriages.

CONFORMITY.

We ſhall ſee on the Twentieth Article that it was prohibited to the Orthodox to marry with Perſons of a contrary Religion, unleſs they promiſed to imbrace the Orthodox Religion, and that they ſhould accompliſh their promiſe before Marriage; therefore the Fathers and Mothers could not conſent to ſuch Marriages but under the Conditions enjoyned by the Cannons. It cannot then be ſaid that our Diſcipline differs from that of the Antient Chriſtians in the Matter which we Examin, and the which ſhall receive farther Explanation from what ſhall be ſaid on the Twentieth Article.

V.

V.

Henceforward ſhall be uſed in promiſes and Contracts of Marriage, terms of the Future Tenſe; and the ſaid words ſhall not be eſteemed ſo binding as words of the Preſent, ſeeing words of the Preſent do not promiſe Marriage; but does it in effect; nevertheleſs theſe promiſes by words of the Future, ſhall not be diſſolved without great and lawful cauſes.

CONFORMITY.

Of all the Articles of our Diſcipline, there has ſcarce any one been ſo often touched by the National Synods as this, by reaſon of the difference which is found betwixt the Ancient and Modern way of Marrying; for formerly the promiſes of Marriage were made by words of the Preſent, and now they are made by words of the Future Tenſe, according to the Laws of the Kingdom, and the Eſtabliſhment of this ſame Diſcipline. I find nothing in the firſt Ages of the Church that can inform me the manner that was uſed in contracts of Marriage, that is to ſay, whether promiſes of Marriage were conceived by words of the Preſent, or by words of the Future Tenſe: I only judge by things hapned in the latter Ages, that in ſome places theſe promiſes were made by words of the Preſent; which at laſt was forbidden.

Tom. 11. Spicil. p. 205. In effect, in the year 262. *Nicholas Gilant* Biſhop of *Angers*, made this Synodal Decree, *We appoint our Prieſts that they do not conſent, but to forbid publickly in their Churches, to contract Marriage by words of the Preſent, until one be come to the Nuptial benediction.* The

Tom. 9. Conc. p 633. Fifth Council of *Millan* under Cardinal *Borromee* ſcribes the ſame thing in the Year 1579.

VI.

VI.

As for Conſanguinity and Affinity, Believers cannot contract Marriage, any other way than is permitted by the King's Edict.

CONFORMITY.

When one lives in a Country, one muſt ſubmit to the Laws Eſtabliſhed for the quiet of the Subjects, as to what concerns the things of this Life; and 'tis by this maxim that we carefully obſerve the Edicts and Laws of our Kings touching the Degrees of Affinity and Conſanguinity in marriage.

VII.

It is by no means Lawful to go to the Pope to demand to be diſpenſed in the hindrances of Marriage, becauſe in doing hereof one owns his Tyranny, but one may in a Degree not forbidden of God, though prohibited by the Civil Power, Addreſs one ſelf to the King.

CONFORMITY.

As we do not acknowledge the Popes Power, we do not vouchſafe to Addreſs our ſelves to him to obtain any diſpenſings touching the hindrances of marriage: It is to the King we Addreſs our ſelves to be diſpenſed of Degrees forbidden by the Civil Law of his Kingdom, and not by the Word of God.

VIII.

The Cognations called Spiritual, are not ſo much as com-

priz'd nor underſtood by the Words of Conſanguinity or Affinity in the Kings Edict, and cannot hinder the contract of Marriage.

CONFORMITY.

The more I read our Diſcipline, the more I therein find a reſemblance with that of the Ancient Chriſtians, I ſpeak of Chriſtians of the firſt Centuries; for thoſe which have apply'd themſelves to the reading Eccleſiaſtical Antiquity, might perceive the changes that have ſucceeded in proceſs of time in the Ancient Diſcipline, as well as in the Doctrine, the Eſtabliſhment I am about to *Examine* is an Authentick proof; for until the 7th. Century or at leaſt to the end of the 6th. it was never thought of to propoſe in the works of Eccleſiaſtical Writers, nor in Councils, Spiritual Cognations, as lawful hindrances of wedlock. If the Epiſtle attributed to Pope *Deus-dedit* were true, it would not be deny'd that ſince the 7th. Century, theſe pretended Spiritual Cognations were admitted in the Church, but 'tis moſt certain 'tis falſe and ſpurious, it needs only to Read it to find that 'tis falſe and forged, beſides that a good while ſince, the late Mr. *Blondell* has ſhewed clearly in the Judgment he gave of it, that 'twas the work of a Cheat and Impoſtor.

Pſeudoiſid. pag. 676.

I know there is in the 2d. Volumn of the works of *Gregory* the Great, certain Decrees in one of which one Anathematiſes him that ſhall have Marry'd his ſpiritual Goſſip, ſo that if theſe Cannons are truly his, one muſt own that theſe ſpiritual Cognations has been uſed in the Latin Church ſince the latter end of the 6th Century; but what makes me doubt if theſe Conſtitutions were his, is, that *Dom. Luke D' Achery* who has cauſed them to be printed in the 2 Volumns of his Spicilegium, amongſt an Ancient Collection of Cannons, which he thinks to have been

been Antecedent to the 9th. Century does indeed repreſent them under the Name of *Gregory*, but ſomthing dubiouſly, not ſaying of what *Gregory*, ſo that they may as well be of ſome other *Gregory*; for Example, to the ſecond, or third, and ſo the one muſt come down to the 8th. Century in which the one and the other filled the *Roman* See.

In effect, in that Century, ſpiritual Affinity were frequently in the Weſt a hindrance of Marriage, as appears by the firſt Cannon of a Synod held at *Metz* under *Pepin* in the year 753 by the 5th. Chap. of the 5th. Book of Capitularys, and by the anſwer of Pope *Stephen* the 2d. to the 4th. Queſtion was made him on this Matter, as alſo by the 12th. Cannon of the Council of *Compeigne*, *Anno* 757. Since that time the *Latins* has almoſt always prohibited marriages of perſons betwixt whom there was any ſpiritual affinity, as for having preſented a Child together to be Chriſtened. I obſerve nevertheleſs in the 10 Century, that a certain Biſhop called *Azo*, maintained by the holy ſcriptures, againſt *Atto* Biſhop of *Verceil*, that theſe ſpiritual affinities were not ſufficient to hinder Marriage, whereas *Atto* did not defend himſelf to any purpoſe, but by the Laws and Cuſtoms of Princes and Sovereigns, eſpecially by that of *Luitprandus* who Reigned then in *Italy*. It is not therfore to be wondered if the Council of *Trent* Authoriz'd this ſort of Affinities the 11th. of November *Anno* 1563 in the 24th. Seſſion, under *Pius* the 9th. as is explained in the ſecond Chap. of the Decree of Reformation of Marriage; although at the end of the 9th Century it was not exactly obſerved in all the Weſt, as appears by the Cannons 47 and 48 of the Council of *Tribur*, of which I will ſpeak of on the 13th. Article.

Tom. 2. conc. Gal. p. 5.

Ibid. p. 15

Ibid. p. 43

Tom. 8. Spicil. p. 113. ad 118.

Tom. 9. conc. pag. 412.

The *Greek* Church would in nothing come behind the *Latin* in this matter; for at the end of the 8th Century,

the 6th. Oecumenical Council aſſembled at *Conſtantinople* made a decree, when after having eſtabliſh'd that the affinity of the Spirit is more conſiderable than that of the Body, the Fathers declare it is come to their knowledge, that in ſome places, thoſe which have preſented Children to be Baptiſed, do after marry the Mothers of thoſe Children, when they are become Widows, which the Council forbids to be done for the future, and do even make null Marriages of this kind, which ſhall be made after the Prohibition' and condemn thoſe which contract them to the puniſhment of Fornicators. We learn by this Decree, that till then no difficulty was made in divers Places to make theſe kinds of marriages, and to paſs by the conſideration of ſpirtual Cognations which might be betwixt thoſe as made them.

Lib. 5. Cod. Juſt. tit. 4. cap. 26.

Nevertheleſs ſince the 6th. Century, the Emperour *Juſtinian* had ordained that ſpiritual Cognation ſhould be a lawful hinderance of Marriage, although the *Greek* Church made no Decree before that I but now cited and which is after that of *Juſtiniam* above a 100 years. Alſo the *Greek* Cannoniſts which have ſearched the Original of this cuſtom, have gone no farther then the Cannon of *Conſtantinople*, and the law of this Emperour. But what ſurpriſes me is to ſee Pope *Nicholas* the firſt in his Anſwer to the Interrogatories of the *Bulgarians*, in not making theſe Impediments of Marriages proceed from the Decrees of his Predeceſſors, but from the laws of Princes and Sovereigns, as if what the Church has done in this occaſion was only the Execution of the command of Kings and Emperours. I will ſay nothing of the *Arabian* Cannons, attributed to the firſt Council of *Nice*, the 21th. and 23th. of which treat of ſpiritual Cognations, becauſe by confeſſion of the Learned which have any candor and ſincerity, theſe are forged Cannons, and

and were forged ſeveral years after the Council of *Nice*. It is better I ſhould finiſh the examining of this Article by this remark, that when our Diſcipline declared that theſe cognations, called ſpiritual, hindred not to contract Marriage, it follow'd the ſteps of the Primitive Chriſtians to whom this ſort of Affinitys and Relations was unknown for the firſt 6 whole Centuries, or little leſs, for towards the end of the 6th. the Emperour *Juſtinian* made a Law, but 'twas not ſoon obſerved in the Church.

IX.

It is not lawful to Marry the Siſter of the deceaſed Wife, ſuch Marriages are forbidden not only by the Laws, but alſo by the Word of God. And altho' by the Law of Moſes *it was ordained that if the Brother died without Children the Brother ſhould raiſe up ſeed to his Brother, nevertheleſs ſuch a Law appointed for the People of* Iſrael, *was temporal, regarding only the preſerving a Lineage of the ſaid People. There is another Reaſon in the Siſter of the deceaſed Marry'd Perſon, in as much as the Alliance is not contracted by commixture of Blood, therefore ſuch a Marriage ought to be receiv'd and approv'd. Nevertheleſs heed muſt be taken, the Magiſtrate and weak Brethren be not offended.*

CONFORMITY.

The 19th. of the Cannons that go in the Apoſtles Names, does not admit him into holy Orders that has married two Siſters, whereupon *Balſamon* obſerves, that ſuch a marriage is Null. And the 2d. of the Synod of *Neoceſaria*, aſſembled as is thought, in the year 314. Excommunicates for life, her that ſhall have Married two Brothers; that is to ſay, that ſhall have Marry'd them one

one after another; but if in danger of Death, ſhe promiſes to break the Marriage when ſhe is recovered, the Sinod by movement of pity, ſhall admit her to do Penance, whereas it declares, that if ſhe or the Husband dye in this Marriage, the Surviver ſhall ſcarce be admitted thereunto. St. *Baſil* in the 2d. or 3d. of his Canonical Letters, alſo condemns Marriages made with two Siſters ſucceſſively; he alſo explains himſelf more clearly in a Letter he writes to *Diodorus* of *Tarſus*, and which is in the 2d. Tome of the of the *Greek* Pandects printed at *Oxford* of late years; and 'tis the 197 amongſt St. *Baſil's* Letters; upon this Letter *Balſamon* obſerves, that it has no great need of Interpretation, becauſe in his time there was no Chriſtian Man that would contract ſuch Marriages; that it may be was true in regard of the *Greek* Church which ſuffered it not, but not in regard of the Latin, where the Biſhops of *Rome* grant Diſpenſations for two Brothers and two Siſters to marry, and I admire *Balſamon* knew nothing of it, or if he did, that he ſaid nothing of it; ſeeing that even in the Age he lived, that is in the 12th. Century, there is found amongſt the Latins, theſe kind of marriages. The Frier *Blaſtares* in the ſame Tome of Pandects but now mention'd, follows the Authority of Ancient Cannons, which prohibit the Marriages we now Treat of. *Avitus* of *Vienna* doth not otherwiſe, in his 14. 15 and 16. Letters. I may alſo alledge againſt theſe ſame Marriages, a great number of other Cannons, as the 18th. of the firſt Council of *Orleans* of the year 511, the 65 of of that of *Agde* in the year 506, the 30 of that of *Epaune* in the year 517, the 21 of the 2d. of *Tours*, *Anno* 567, the 30 of *Auxer* in the year 578, and ſeveral others which are, as well as theſe, in the firſt Volumn of *French* Councils, by *Sirmondus*; but it ſufficeth what I have hitherto ſaid, I ſhall only add, that I find not in any of the

Pag. 68, 59. Lett. G. c. 9.

Cannons,

Cannons, nor in others made a long time after on the ſame ſubject, I ſay, I do not find, there has been reſerved to Biſhops, nor to Popes, the right of diſpenſing in theſe occaſions, becauſe ſuch marriages are prohibited, not only by Humane, but by Divine Laws, as the Fathers of the 2d. Council of *Tours* do plainly acknowledge, in the Cannon I but now mention'd.

But if it be prohibited to marry the ſiſter of the Deceaſed Wife, our Diſcipline does not condemn marrying the ſiſter of one contracted, that is dead, becauſe it ſuppoſes that an Alliance is not conſummated but by Commixtion of Blood, or as St. *Auſtin* ſpeaks in *Gratian*, by commixture of Sex, ſaying, without this Accouplement there's no Marriage; nevertheleſs this Diſcipline enjoyns to Act ſo as not to give diſtaſte to the Civil Magiſtrate, nor weak Brethren ſcandaliz'd, there can nothing be more prudent, nor more Circumſpect. Pope *Alexander* the 3d. in the Appendix of the Council of *Latran*, *Anno* 1180, reports this Decree from one *Benedict* his Predeceſſor, of whom it had been demanded if one might marry the ſiſter of one he had been contracted too, who died before accompliſhment of the Marriage; *We order and command by Apoſtolical cenſure, that it may be done without danger; for wherefore ſhould I forbid what the Scripture never ſays was prohibited, and that the very Laws of the Land ſay nothing againſt, when they reckon up the perſons betwixt whom it is not lawful to contract Marriage; and thinſhems by the way, that the Decrees which* Gratian *attributes to* Julius *the* I. *and to* Gregory *the* I. *are but forged Decrees, or at leaſt that they were of no uſe in the* Roman *Church.* Cap. 27. q. 2. Tom. 7. conc. pag. 692. cap. 27. q. 2.

XI.

The betrothed may not Marry the Mother of his betrothed, deceaſed.

CON-

CONFORMITY.

This Article having ſomething in it of the Nature of the former, it is with great Juſtice the Rules of our National Synods refer it to the Magiſtrate, without whoſe Authority they will not have us proceed in our Churches to the Celebration of ſuch Marriages as are now treated of; ſee here how the National Synod of *Charanton* in the year 1644, cleared up the Article, *The betrothed may not marry the Mother of the betrothed, defunct, unleſs it be ſo that the Magiſtrate has authoriſ'd it by his Order, which ſhall be known as well by the Paſtor, as by the Parties contracting, which is ſo much the more reaſonable, as that the Laws of Emperors formerly prohibited ſuch Marriages.*

XI.

Neither ſhall it be lawful for any one to marry the Aunt of his Wife, ſuch marriage ſhall be Inceſtuous, and though the Magiſtrate ſhould ſuffer it, yet ſhall it not be celebrated in the Church; to which the Paſtors ſhall take great heed: And by the ſame reaſon is prohibited to marry the Neece, of his deceaſed Wife.

CONFORMITY.

Our Diſcipline looking upon the marriage of a man with his Wifes Aunt to be Inceſtuous, it hath reaſon not to ſuffer it to be celebrated in the midſt of us, whatever permiſſion the Magiſtrate may give for the ſame, becauſe the Authority of the Magiſtrate cannot render a marriage lawful which of it ſelf is Inceſtuous. The Ancient Cannons have not fully explained themſelves on this matter

ter, nevertheleſs they have ſo well underſtood the nature of Inceſtuous marriages, that I make no doubt but they would have included in the number that which we Examine; at leaſt it appears to me it may be ſo gather'd from their conduct in ſuch like Occaſions. However it be, I can't tell, but Pope *Zachary*, who condemn'd the marriage with the Widow of his Uncle, would alſo have condemned it with the Aunt of his Wife, deceaſed. Ep. 1. ad Bonifac. Tom. 5. Conc. pag. 497.

The Authors of our Diſcipline, treat after the ſame manner, Marriage with the Neece, and ſecond Neece of ones Wife deceaſed; the reaſon is, becauſe the Husband and Wife by Marriage become one Fleſh, and as it may be ſaid, one Perſon, and ſo by reaſon of this ſtrait and intimate Union, the Aunts and Neeces of one, are the Aunts and Neeces of the other; now marrying with the Aunt, and Neece, or ſecond Neece, is forbidden not only by the Word of God, but alſo by the Diſcipline of Ancient Chriſtians, as may eaſily be proved by a great number of Cannons, if it were neceſſary; but becauſe the thing is without difficulty, I'le content my ſelf to ſhew that St. *Ambroſe* highly condemns marriage with the Neece, in his 48 Letter, Book 6. *Gregory* I. does Anathematize it in a *Roman* Synod. The Popes, *Eugenius* XI. and *Leo* IV. in the 9th. Century, does the ſame as *Gregory* I. did in the 6th. having each of them held a Synod at *Rome*, where *Anathema* is pronounced in the 38th. Cannon, againſt thoſe that marry with their Neeces. Nevertheleſs Popes at this time are not ſo ſcrupulous, nor ſo obſervant of the Decrees of their Predeceſſors, but that they have ſometimes diſpenſed an Uncle to marry his own Neece, we have ſeen examples of it in our Days, altho' the Holy Scriptures expreſly forbid it; and as for marrying with an Aunt, it is alſo reckoned amongſt Inceſtuous Marriages, by the firſt Cannon of the Synod of *Metz* in the Year 753. To. 5. p. 306, 307. Collect. Rom. p. 2. pag. 46. & 94. Tom. 2. Conc. Gall. p. 5.

XII.

As for Marrying ones Wifes Brothers Widow, Civility nor Decency will not permit it.

CONFORMITY.

All the Cannons of the Councils of *France*, which I cited on the 9th. Article, and many others which I have not alledged, do abſolutely forbid marrying ones Brothers Widow; but I have not met with one that has ſpoke of marrying ones Wifes Brothers Widow; Our Diſcipline alſo ſays no more of ſuch a Conjunction, but only that it is contrary to the Laws of Decency, and Gentility; nevertheleſs becauſe the Magiſtrate in theſe occaſions, has power to overpaſs theſe Conſiderations, of Civility, and Decency; the National Synod, whereof I ſpake but now and whoſe direction I cited on the 10th. Article, does abſolutely refer the deciſion of the Caſe to the Civil Magiſtrate, in theſe terms: *The Churches ſhall make no difficulty to confirm ſuch Marriages, if it appears that the contract has been before duely authoriſed by the Magiſtrate.*

XIII.

No man may after the death of his Wife, marry her with whom he committed Adultery in his Wifes life time, unleſs ſuch marriage was authoriz'd by the Magiſtrate.

CONFORMITY.

Can. 39. Tom. 3. & in Pandect. Græc.

St. *Baſil* in his 2d. Cannonical Epiſtle to *Amphilochius* teaches the ſame thing, according to *Balſamon*'s Explication.

tion. The Frier *Blaſtares* in his Alphabetical Collection of Cannons, is of the ſame mind, as he explains himſelf in the 8th. Chap. of the Letter B. However our Diſcipline that condemns ſuch a marriage, nevertheleſs ſuffers it to be celebrated if the Magiſtrate appoints it. Tom. 2. pag. 97.

The Council of *Tribur*, which was formerly one of the Kings Houſes, not far off of *Mayance*, this Council aſſembled *Anno Dom.* 895, under the Emperor *Arnulphus*, made this Decree, which agrees very well with that I now Examin; *We appoint and publiſh by one conſent, according to the diſinitions of Cannons, that if any one has committed Adultery with another Woman during her Husbands Life, and that this Husband comes to die, this unlawful acceſs ſhall be forbidden him by Judgment of the Synod, to the end he ſhould not marry her with whom he had before committed* Adultery; *for we will not, and 'tis not ſuitable to the Chriſtian Religion, that any one ſhould take to wife her whom he had before defiled with Adultery.* and as for the Caution given by our Diſcipline in regard of the Magiſtrate, the Fathers of *Tribur* have not paſſed it in ſilence; for in the manner they ſpeak to King *Arnulphus* in the preface, they give plainly to underſtand, that they were perſwaded that it was a civil caſe, wherein the Prince might Exerciſe his Power. Tom. 7. Conc. c. 71. p. 157

XIV.

It being ſo, that the principal occaſion of Marriage is to have Iſſue, and propagate, and to avoid Fornication, and Adultery, the Marriage of a Man known to be an Eunuch, cannot be allow'd of nor ſolemnized in the Reformed Church.

CONFORMITY.

The Council of *Verbery* in *Vallois*, requires Marriage

Tom. 2. conc. Gall. c. 17. pag. 4. ſhould be Diſſolved for inſufficiency of the Husband, being complained of by the Wife and duely proved; to whom the Synod permitts to do what ſhe will, that is to ſay, to re-marry: Pope *Stephen* the ſecond however two years after, prohibits ſeparation for cauſe of inſufficiency, nevertheleſs he orders diſſolution if one of the parties be tormented with the Devil, or infected with Leproſie, wherein he followed not the ſentiment of *Gregory* the ſecond his Predeceſſor, who about 30 years before ſuffered a man to ſeparate from a woman who was inſufficient, and to re-marry with another. The 55th. chap. of the 6th. Book of Capitularies of *Charlemain*, gives the ſame liberty to the woman, if the man be inſufficient, which *Iſaac* Biſhop of *Langres* repeats in the 13th. chap. of the ſecond Treatiſe of his Cannons. *Photius* a Writer of the 9th. Cenury and Patriarch of *Conſtantinople*, ſpeakes no otherwſe in the 13th. Title, chap. 4th. of his *Nomocanon*; Its true he requires this ſeparation be made after having ſuffer'd three years her Husbands inſufficiency, and in the firſt of his Letters taken out of an Ancient Eaſtern Manuſcript, he ſets down inſufficiency as a lawful cauſe of ſeparation, with free liberty to the other party, whither the Man, or Woman, to re-marry.

Ibid. c. 2. pag. 14.

Ep. 9. ad Bonif. c. 2. l. 1. conc. Gall. pag. 519.

Tom. 3. conc. Gall. pag. 673.

XV.

Marriages ſhall be propoſed in the Conſiſtory, with ſufficient atteſtations of promiſes.

CONFORMITY.

This Eſtabliſhment is to prevent Clandeſtin Marriages. I will ſhew on the 19th. Article, that it is conformable to the Ancient Diſcipline.

XVI.

XVI.

Banes ſhall be asked in places where the Parties do reſide and are known, and if they will be Married in ſome other place than where their Banes have been called, they ſhall take ſufficient atteſtation that they have been publiſhed three ſeveral times.

CONFORMITY.

Pope *Innocent* the third making Anſwer to the Biſhop of *Beavais*, in the 4th. Book of Decretals, makes mention of a publication of Banes, and in the Council of *Latran* which he aſſembled in the year 1215, he appointed that the Cuſtom of publiſhing Banes of Marriage in Churches, obſerved in ſome places ſhould be generally obſerved in all places: accordingly we Read in the ſecond volume of Dom. *Luke* D' *Achery* a Benedictine Friers Spirilegium, that *Nicholas* Biſhop of *Angers*, prohibited in the year 1270, to confirm or celebrate any marriage whatſoever, until publication was firſt made of it in the Church, he alſo mentions the ſame practiſe in another Synod in the year 1274, which *William* his ſucceſſor alſo renewed in the year 1304. The Council of *Trent* in the 24th. Seſſion the 11th. of *November*, 1563. the 8th. under *Pius* the IV, preſcribes alſo the ſame thing. Cardinal *Borrome* failed not to confirm this cuſtom, and to recomend the obſerving of it in his Councils at *Millan*, and 'tis to be obſerved the teſtimonies I have alledged, require that publication ſhall be made in the Churches of the parties contracting.

Tit. 1 de Sponſal. cap. 27.

Tom. 7. conc. cap. 51. p. 818 pag. 217, 221, 222.

Ib. p. 255. Tom. 9. conc. pag. 411. Decret. de refor. Marrim. cap. 1.

XVII.

Banes ſhall be publiſhed three ſeveral Sundays in places where

when there is Sermons, and in other places when publick prayers may be ſaid. However, the Publication ought to continue the ſpace of 15 *dayes, after which time the Marriage may be Solemniz'd in the Aſſembly, and even on the third Sunday.*

CONFORMITY.

The ſame Teſtimonies I alledged on the foregoing Article, do preſcribe in ſubſtance, the ſame thing as our Diſcipline doth; for ſome will have it, that the publication now ſpoke of, ſhould be made in a certain time, which ſhould give leiſure to thoſe who would oppoſe a Marriage, to prepare their Reaſons; others that Banes ſhould be asked ſeveral times on Holy-daies, others to the Number of three ſeveral times.

XVIII.

Thoſe which live in places where the uſual Exerciſe of Religion is not Eſtabliſhed, may cauſe their Banes to be publiſhed in Romiſh *Churches, inaſmuch as 'tis a matter partly political.*

CONFORMITY.

The publiſhing of Banes being a thing meerly political, our Diſcipline had reaſon, when it ſuffer'd thoſe of our Religion, in the caſe hinted at, to have them done in Temples of the *Romiſh* perſwaſion.

XIX.

The Churches ſhall not Marry any body without having ful knowledge and approbation.

CON-

CONFORMITY.

Besides what I have said on the second Article, it appears by the first Cannon of the Council of *Laodicea*, that Clandestin Marriages were condemned even in that time. There is in the third Volume of Councils, a Decree of Pope *Hormisdas* taken out of *Gratian*, and is conceived in these Terms; *That no Believer of what quality soever, do not Marry clandestinely and in secret, but let him Marry publickly in our Lord, in receiving the Priests Benediction.* This *Hormisdas* was Pope in the beginning of the 6th. Century. *Herrald* Bishop of *Tours* makes the same prohibition in the 130 chap. of his Capitulary *Anno Dom.* 858. and the 15th. Can. of those which Pope *Innocent* the third proposed and caused to pass at the Council of *Latteran* in the year 1215, contain the very like constitution. It is therefore that in our Churches, no Stranger is Married without having a good attestation from the Church whereof he is member, to know if the Banes have there been published three several Lords dayes without any opposition. Cardinal *Borrome* in his second Council of *Millan*, *Anno Dom.* 1569, *Decree* 26, will have it so practis'd, according to the Ordinance of the Council of *Trent*.

Can. 2. pag. 801.

Tom. 3. conc. Gal. pag. 116.

Tom. 7. conc. pag. 818.

Tom. 9. conc. pag. 500.

XX.

When one of the parties is of a contrary Religion, the promises of Marriage shall not be received nor published in the Church, until the party of contrary Religion be sufficiently instructed, doth protest publickly in the Church of the place where the said party is known, that with full resolution he renounces all Idolatry, and Superstition, particularly the Mass, and will by Gods assistance persevere the rest of his life, in his true

true worſhip and ſervice, of which inſtruction the Conſiſtory ſhall take account. And it ſhall not be lawful for any Paſtor or Conſiſtory to do otherwiſe, under pain of being ſuſpended, and even of being turn'd out of their office.

CONFORMITY.

Even from the firſt Ages of Chriſtianity, the Orthodox were forbidden to Marry with Perſons which were not of their Communion, but of ſome other Sect which was looked on as Heretical and contrary. The Coun-
Tom. 1. conc. pag. 234. cil of *Elebori*, or *Eluira* in *Spain*, in the year 305, imploys to this purpoſe the 6th. of its Cannons. The 10th. and 31ſt. of *Laodicea* about the year 360, treat of the ſame thing; But the 14th. of *Calcedon* is more full; for it prohibits thoſe kind of Marriages, *unleſs him that intends to Marry an Orthodox Maid, doth promiſe to be converted to*
Let. G. c. 12. *the true Faith*: The Frier *Blaſtares* in his Pandects printed at *Oxford*, of whom I have ſpoke already, explaining this Gannon of *Chalcedon*, makes two conſiderable remarks; firſt, that the Conſummation of Marriage now ſpoke of ought to be deferr'd until the Heterodox party has accompliſh'd his promiſe; the ſecond, *that the ſame thing is to be required of* Latins (that is, to ſay of thoſe of the Church of *Rome*) *when they deſire to marry Women that are Orthodox*; an evident proof that the *Latin* Church was eſteemed a Hetorodox Church by the *Greeks*, in *Blaſtares*'s time, which was in the XIV. Century.

Tom. 1. conc. Gall. pag. 231. 242. I may alledge ſeveral other Cannons againſt the Marriages now ſpoke of, as the 72 of the 6th. Oecumenical Council at the end of the 7th. Century. The 19th. of the 2d. Council of *Orleans* in the year 533. the 6th. of that of *Auvergne*, aſſembled 2 years after, and the 25, and 26 Decrees of the 1 Title of the 2d. Council of *Millan*, which I cited on the foregoing Article. If

If from Councils we paſs to Eccleſiaſtical Writers, we ſhall find ſeveral which have explained themſelves after the ſame manner. St. *Ambroſe* in the *9th chapter* of his firſt Book touching *Abraham* ſpeaks ſo clearly, and alleages ſuch ſtrong Reaſons that 'tis not to be doubted but he condemned Marriages, contracted betwixt Perſons of different Religions; it is what he teaches alſo on the 118*th Pſalm*, and according to the *Hebrews* the 119*th*. And in the 24*th* Epiſtle of the Third Book in the 5*th* Volume of his Works, he is not far from this Opinion. The Deacon *Hillary* in the Third Volume of the Writings of the ſame St. *Ambroſe*, explains the words of the 39*th verſe* of the 7*th chap.* of the 1*ſt* Epiſtle to the *Cor.* *Let her marry in the Lord*, by theſe, *to a man of her own Religion*; and *Balſamon*, to an Orthodox, in interpreting the 41 Cannon of the Second Canonical Epiſtle of St. *Baſil*; *Blaſtares* on this ſame Cannon, *to a believing man.*

Tom. 1. p. 239, 240.

Tom. 2. p. 1071.

pag. 232.

Lic. G. c. 4.

XXI.

If one of the Parties that deſire to be Marryed is Excommunicated, the Marriage ſhall not be admitted in the Church unleſs the Excommunicate Perſon makes confeſſion of his faults. As for thoſe which are ſuſpended from the Lords Supper, the Conſiſtory may permit them to marry notwithſtanding the ſuſpenſion, however having good reaſon for it.

CONFORMITY.

Excommunicate Perſons not being looked upon as Members of the Church during the time of Excommunication, it is abſolutely neceſſary they ſhould make publick acknowledgement of their faults, to repair the Scandal they have committed, before one can proceed to Celebrate their Marriage; And I have ſhewn on the 11*th* Article of the 11*th* Chapter, that they were not ſo much as ſuffer'd to preſent a Child to Baptiſme.

XXII.

The Banes of Widows which re-marry ſhall not be publiſhed in the Church till Seven Months and half at leaſt after the Deceaſe of their Husband, to avoid the Scandals and inconveniencies may happen by it; unleſs it ſo happen that the Magiſtrates Order may interpoſe to the contrary.

CONFORMITY.

Tom. 3. Conc. Gall. cap. 41. p 113 Tom. 2. Bibl. Jur. Can. Juſt. p. 1075. ad 1078. Litt. B. c. 8. & G. c. 4.

Herrald Biſhop of *Tours* in his Capitulary of the Year 858, aſſigns but 30 Dayes, but *Photius* in the 2. chap. of the 13. Title of his *Nomocanon*, requires there ſhould be a years mourning before a Woman ſhould marry again, unleſs the Prince ſuffer her to marry in the firſt year of her Widowhood, or that ſhe had not layn in till the end of the year. The Frier *Blaſtares* of whom I have ſo often ſpoke, proves this ſame practice by the Laws of Emperours, and alſo doth *Photius*, to which our Diſcipline well agrees.

XXIII.

Marriage ſhall be celebrated publickly in the Company of Believers; and that by the Miniſtry of the Paſtors, and none elſe.

CONFORMITY.

It is a very long time ſince Chriſtians have been wont publickly in the Church to cellebrate Marriage, ſeeing *Tertullian* in the Fourth chap. of his Book of Pudicity, cauſes thoſe which have not done ſo, to paſs for Adulterers and Fornicators, and in the Eighth chap. of the Second Book he writes to his Wife, he publiſhes the happyneſs of thoſe which the Church has bleſs'd, this benediction preventing the courſe of private Meetings, and of Clandeſtine Marriages. Thence it is the Fourth Council of *Carthage* orders Fathers and Mothers or the Bridegrooms, to preſent the Bride and Bridegroom whoſe Marriage is to be Celebrated. Pope

Tom. 1. Conc. & Ann. 398 pag. 728. Tom. 3.

Hormiſdas

Hormiſdas in the beginning of the Sixth Century appoints alſo it ſhould be done publickly in the Church. There is in the Book of Sacraments of *Gregory* the Firſt, which *Maynard* a Benedictine Frier has Printed, a whole Liturgy about Cellebrating Marriage, which was taken out of a Manuſcript of the Church of *Rheims*. The Deacon *Hillary* in the Third Volume of the Works of St. *Ambroſe*, ſpeaks of this benediction on the 12*th* verſe of the 3. chap. of St. *Paul* Ep. to *Timothy*, and on the 3. of the 5. chap. it is likely St. *Chryſoſtom* had it in his thoughts when in his 48*th* Homily on *Geneſis* he exhorts to ſend for the Prieſts to knit by Prayers and Bleſſings, the Union and Concord of Marriage. St. *Iſidore* of *Sivill* in the 19*th* chap of the 2. Book of Divine Offices, ſaith, That when the Prieſt bleſſes Marriages, he does it in imitation of God, who bleſſed the Marriage of the firſt Man. The Kings *Charlemain*, and *Lewis* the *De bonnaire*, in the Seventh Book of the Capitularies chap. 358, amongſt ſeveral Conditions they preſcribe neceſſary to a lawful Marriage, they have not forgot the Bleſſing we treat of; And in the Capitularies of *Charles* the bald, is to be ſeen the Nuptial Bleſſings of his Daughter *Judith* with *Edelwolf* King of *England*, and of *Hormintrude* with himſelf. I would alleage other proofs of this Ancient Practice, but not to tire the Reader, I will conclude with the Teſtimony of *Photius*, who in two of his laſt five Letters by way of Augmentation at the foot of the reſt, that is in the Firſt and Fifth, he ſeveral times makes mention of the publick benediction of Marriages by the Paſtors.

pag. 285.

Tom. 2. p. 681. Par. 1614

XXIV.

It is convenient for the Order of the Church not to Celebrate Marriage on Sacrament Dayes; and this Order ſhall not be broken but on weighty reaſons, which the Conſiſtory

ſhall adviſe upon. Neither ſhall Marriages be ſolemniz'd on Days of Publick Faſting.

CONFORMITY.

The Celſebration of the Lords Supper which invites us to meditate of the Death of our Saviour, and which requires of us Holy Diſpoſitions to partake worthily of it: the Cellebration I ſay of this Holy Sacrament, not agreeing very well with what uſually paſſes at Chriſtian Weddings, it is with great Reaſon the Authors of our Diſcipline has forbidden to ſolemnize any Marriage on the Days appointed for the Communion; no more than on Days appointed for Cellebration of a Publick Faſt; becauſe Faſting is an occaſion of Affliction and Tears, and Marriage on the contrary, after the manner moſt People uſe it at this time, is of prophane Rejoycing, and very often of Debauchery and Exceſs. The Antient Church prohibited, although after ſeveral ways, to Cellebrate Marriages in certain times, as appears by the 52 Cannon of *Laodicea*, and by a fragment of a Council of *Lerrida* in the Year 524. *Tom.* 3. *Concil.* and the
pag. 817. Second Council of *Aix la Chapella*, in the year 836 defends in the 18*th* Cannon of the Third chap. to ſolemnize Marriages on Sundays, for the Reverence of the Day. *Tom.* 2. *Conc. Gall. p.* 394.

XXV.

Thoſe who have been contracted, and that have cohabitted together before being lawfully Marryed, whether their fault came to be known before or after Marriage is ſolemnized, they ſhall make publick confeſſion of their fault, or before the Conſiſtory, according as it ſhall think convenient. And it hapning before Marriage, ſuch Solemnities ſhall be obſerved at the ſaid Marriage as the Conſiſtory ſhall think fit. Except thoſe who ſhall have lived together during the time of their ignorance without contempt and ſlighting of

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the Eccleſiaſtical Order; alſo thoſe which ſhall have cohabited together when there was no Church ſetled at the place of their Habitations, or in the Province. All which ſhall only be cited to the Conſiſtory, to the end the Marriage may be Ratified and Bleſſed in the Church, if the Conſiſtory ſhall ſee it Expedient.

CONFORMITY.

St. *Baſil* in his Third Canonical Epiſtle, *Can.* 69. had appointed ſomething of this kind in theſe terms, *If a Reader has known his Sweetheart before Marriage, he ſhall be ſuſpended from his Office for a year, at the Expiration whereof he ſhall do his Duty, without being capable of advancement.* By this may be ſeen, he would have decreed againſt Lay People which ſhould have committed the like Offence, the pains expreſſed in our Diſcipline. The Frier *Blaſtares* which I have often cited, eſpecially on the XX. Article of this Chapter, will, that the Puniſhment of Fornicators be given to thoſe that have known each other before they have been lawfully Marryed.

Tom. 7. pag. 33.

Litt. G. c. 4. pag. 62.

Cardinal *Borrome* in the Second Council he cauſed to be held at *Millan* in the year 1569, remits the Abſolution of the Sin now treated of to the Biſhop, becauſe 'tis frequently committed, and preſcribes ſevere Pennance for thoſe that are guilty of it; which he repeats again in the Sixth Council Aſſembled at the ſame place Thirteen Years after the Second.

Tom. 9. Conc. Dec. 27. pag. 500. Ibid. pag. 684.

XXVI.

To prevent Inconveniences which ariſe by too long deferring Cellebration of Marriages, the Parties, and thoſe in whoſe care they be, ſhall be advertis'd not to delay the Cellebration of Maraiage above ſix Weeks if poſſible.

CONFORMITY.

It is an Eſtabliſhment of Pollicie, to prevent the incon-

conveniencies and ill conſequencies as may happen in too long deferring the Solemnizing of Marriage; And 'tis with regard hereto, that Cardinal *Borrome*, prohibits in the place I but now cited, I ſay, he prohibits all manner of Familiarity and Commerce to contracted Perſons.

XXVII.

Marriages ſhall be Regiſter'd, and carefully kept in the Church.

CONFORMITY.

This Rnle regards the Publick good, therefore oftentimes recourſe is had to Regiſters of Marriages which are kept in both Communions, and the Copies taken many times ſerve to terminate great Law Suits. The Council of *Trent* appointed in the year 1563, *Seſſion* 24. *chap.* 1. of the Decree touching the Reformation of Marriage, it ordains *Each Curate ſhould have a Book, wherein he ſhould write the Names of the Marryed Folks, and of the Witneſſes, with the Day, and Place where the Marriage was contracted*: Cardinal *Borrome* renews this injunction in the Firſt and Third of the Councils he held at *Millan*.

Tom. 9. Conc. pag. 412.

Ibid. p. 480, 481, 559.

XXVIII.

Believers whoſe Wives and Husbands ſhall be convicted of Adultery, ſhall be admoniſhed to be reconciled to each other, but if they will not, the Liberty they have by the Word of God ſhall be declar'd to them; Nevertheleſs ſhould this happen to one that is imployed in the Church, he may not reaſſume his Wife, and exerciſe his Office.

CONFORMITY.

St. *Auſtin* has made Two Books on Adulterous Marriages, that is of Marriages wherein Adultery does intervene, and in the Second of theſe Books, *chap.* 6, 8, 9. he requires the ſame Conduct ſhould be held towards the

Tom. 6. p. 358.

the Party convicted of Adultery as is Eſtabliſhed by our Diſcipline, that is to ſay, that the Innocent Party ſhould continue with him that violated their Marriage Vow, and he alleages for a Reaſon, That being a Believer we ought to believe, that ſhe has been waſhed from her Sin, by Baptiſme, or by Repentance; Nevertheleſs this is but an Advice or Council, which he gives, without impoſing any neceſſity to do ſo, on the Party unconcern'd, which is juſt the Rule preſcribed by the Article we examin, unleſs it be that it declares, that if ſuch a thing ſhould happen to any one that had an Office in the Church, he could not take his Wife again, and execute his Office, becauſe doubtleſs he would not be ſo much to Edification, and the remembrance of his Wifes Adultery, would be at leaſt to the weak, a Subject of Offence, and Scandal. So 'twas the Council of *Neoſeſaria* order'd it in the Year 314, *Can.* 8. which enjoyns thoſe that are Eſtabliſhed in the Miniſtry of the Church, whoſe Wifes have committed Adultery, it enjoyns them to forſake them, or if they will live with them, it declares they can no longer Execute their Offices. See *Gratians* Decree, *Cauſ.* 32. *q.* 1. *can. De Benedicto* where the ſame Practice is Authorized, although ſome of the Fathers, forbid cohabiting with the Adulterous Party.

XXIX.

To regulate the Extravagance of Marriages by reaſon of Adultery, the Party grieved may proſecuee at Law the Party that has offended, before the Magiſtrate, until that by definitive Sentence and Judgment they be juſtly convicted, the which Sentence the Party grieved ſhall produce in Conſiſtory, who ſhall let him underſtand the Liberty the Word of God allows in ſuch caſes: But by reaſon of the difficulty of the times the Miniſters of this Kingdom are adviſed

adviſed not to re-marry the Parties who are at liberty to provide themſelves elſewhere; and as for the Party that has tranſgreſſed, great deliberation and care ſhall be uſed before he be reſtor'd to Liberty.

CONFORMITY.

Thoſe which accommodate the Cannons, to the times, and which judge of the Diſcipline of the Antient Chriſtians by that which they follow at preſent, do think that 'twas never permitted in the Church that thoſe ſhould marry any other Perſon who were ſeparated for Adultery; Nevertheleſs with the leaſt heed that is taken in reading what remains to us of the Writings of Eccleſiaſtical Antiquity, it may therein be obſerv'd, that for ſeveral Ages the Liberty of re-marrying was granted to thoſe whoſe Marriage had been diſſolved for Adultery. I ſhould be over-tedious to relate all I could alleage for Eſtabliſhing this Truth; I ſhall therefore content my ſelf to prove it by ſome formal and poſitive Teſtimonies which ſhall be above the reach of any contentious Spirits to controul.

To do it with the better method, Firſt of all, 'twill be neceſſary to tranſcribe two paſſages of the Goſpel, where our Saviour Jeſus Chriſt has fully explain'd himſelf on this matter, The Firſt is in the Fifth chap. of St. *Matth, ver.* 31, 32. It hath been alſo ſaid, *Whoſoever ſhall put away his Wife let him give her a Writing of Divorcement: But I ſay unto you, That whoſoever ſhall put away his Wife ſaving for the cauſe of Fornication, cauſeth her to commit Adultery, and whoſoever ſhall marry her that is divorced committeth Adultery.* Theſe words as every one ſees, teach us two things, one, that there's nothing but Adultery which is a lawful cauſe of breaking of Marriage; and the other, that here is to be an intire Separation, both from Bed, and as to Obligation. The

The Second is in the 19*th chap.* of the ſame Goſpel, *verſe* 3, *&c.* The *Phariſees* alſo came unto him, tempting him, and ſaying unto him, *Is it lawful for a man to put away his Wife for every cauſe, and he anſwered and ſaid unto them, Have you not read that he which made them, made them at the beginning Male and Female, and ſaid, For this cauſe ſhall a man leave father and mother and ſhall cleave to his Wife, and they twain ſhall be one fleſh, wherefore they are no more twain but one fleſh; What therefore God has joyned together, let no man put aſunder. They ſay unto him, Why did* Moſes *then command to give a writing of divorcement, and to put her away: He ſaith unto them,* Moſes *becauſe of the hardneſs of your hearts ſuffer'd you to put away your Wifes, but from the beginning it was not ſo. And I ſay unto you, whoſoever ſhall put away his wife except it be for fornication, and ſhall marry another, committeth Adultery: And whoſoever marryeth her which is put away, doth commit Adultery.* As the *Phariſees* in their demand underſtood a total Separation, it muſt not alſo be doubted but Jeſus Chriſt meant it ſo alſo in the Anſwer he made them; In effect, amongſt the *Jews* the term to repudiate comprehends an intire rupture, with power to re-marry again; Therefore in the Antient formulary of Divorces amongſt the *Jews*, the Husband ſpake thus to the Wife which he put away, *I ſend thee going, and repudiate thee, to the end thou mayeſt be at liberty to marry whom thou wilt.*

Let us now ſee what the Witneſſes do depoſe which I have ingaged to produce for eſtabliſhing the matter in diſpute. I'le begin by *Chromatius* Biſhop of *Aquilea*, one of the Holieſt and moſt Learned Prelates of his time, that is to ſay of the Fourth Century, and the beginning of the Fifth. This Learned Writer Interpreting the two verſes of the Fifth chap. of St. *Matthew*

above tranſcrib'd, ſpeaks in this manner; *Let them know how great the crime of condemnation is which thoſe do incur in the ſight of God, who being overcome with the unbridled pleaſure of Luſt, and without cauſe of Adultery, caſt off their Wifes to paſs on to another Marriage.* It appears by the reaſoning of *Chromatius*, that if they caſt them off for Adultery, they were permitted to re-marry, and having ſhewn that though the Laws of Men ſuffer'd to repudiate ones Wife for other cauſe than Adultery, thoſe which did it were nevertheleſs inexcuſable, but their ſins was ſo much the greater, that they preferred the Laws of Men before the Law of God; After this I ſay, he adds, *As it is not permitted to caſt off a woman that lives chaſtly and honeſtly; ſo alſo 'tis permitted to repudiate an Adultereſs, becauſe ſuch a one renders her ſelf unworthy of her Husbands Company, which in ſinning againſt her own Body, had the boldneſs to defile the Temple of God.*

Tom. 2. Bibl. Sal. p. 168.

The Deacon *Hillary*, a Writer of the Fourth Century, in his Commentaries on St. *Pauls* Epiſtles, in the Third Volume of St. *Ambroſe* his Works. *Hillary* Expounding theſe words of the *11th verſe* of the *7th chap.* of the 1 Ep. to the *Cor.* *Neither let the Woman forſake her Husband*, he thus explains himſelf, *it muſt be underſtood, except it be for the cauſe of Adultery, becauſe it is permitted for the Husband to marry, after having repudiated his Wife for cauſe of Adultery.*

pag. 365.

St. *Epiphanius* is full in the caſe, ſeeing he expreſſes himſelf in this manner; Him who could not be content with one Wife, whether ſhe dyed, or that he put her away for Adultery, Fornication, or ſome other Crime, if he joyn himſelf to another Wife, or if a Woman for the ſame cauſe takes a ſecond Husband, the Word of God condemns them not, neither deprives them

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of the Communion of the Church nor of Eternal Life; but it bears with them for infirmity ſake, not that he ſhould have two Wifes at once, the one being yet alive, and in being, but to the end that after having left one, he may, if he will, take another lawfully. The Jeſuit *Petau* in his Notes on the words of St. *Epiphanius* does acknowledge this was the Opinion of this Antient Doctor, but he adds, That if at that time it was ſuffer'd to have it, becauſe the Church had not yet determin'd any thing in this matter, it is not permitted at this time, after the deciſion of the Council of *Trent*, nevertheleſs he owns this Decree of *Trent* is not agreeable to ſome of thoſe cited by *Gratian*, *cauſa* 32. *quæſt.* 7. and alſo that Cardinal *Cajetan*, and ſome other Doctors of his Communion have followed an Opinion contrary to the definition of the Fathers of *Trent*; that is to ſay, That they believed that 'tis permitted to a Chriſtian to put away his Wife for Adultery, and to marry another; in effect, not only *Cajetan* on the 19*th chap.* of St. *Matth.* but alſo *Ambroſe Catharine* in the Fifth Book of his Annotations, and *Eraſmus* on the 7*th chap.* of the 1 Ep. to the *Corinth.* have been of this Judgment.

Tom. 2. p. 255.

Seſſ. 24. cap. 7.

Anitus Biſhop of *Vienna* at the end of the Fifth Century, and beginning of the Sixth, ſufficiently manifeſts that in his time, Divorcement was made for Adultery, with liberty to re-marry, obſerving in one of his Letters, *That 'tis for that cauſe alone God permits a man to ſeparate from his wife*: Upon which Father *Sirmond* who has Publiſhed the Works of *Anitus*, makes this obſervation; *It from hence appears, that in that time it was believed in* France, *that the Husband might by the permiſſion of Jeſus Chriſt, leave his Wife in caſe of Adultery, and marry another*, Which he confirms by a Cannon of a Synod of *Vannes*, which I will cite anon.

Ep. 49. p. 110.

Ep. 29. pag. 54. *Loup* Abbot of *Ferriers* in *Gattinois* was in the Ninth Century of the ſame Opinion with *Anitus*, for he ſays as well as him, that 'tis only Fornication can diſſolve Marriage, to which Monſieur *Baluze*, who compleated the laſt Edition with Learned Notes, applyes alſo the Jeſuit *Sirmond*'s Obſervation which I but now mention'd.

Iſaac Biſhop of *Langres*, in the Third Title of his Cannons which treat of *Adulterys*, ſaith plainly, *chap.* 1. That the Husband whoſe Wife is an Adultereſs, *has power to take another if he pleaſe*: This Prelate wrote and liv'd in the Ninth Century.

I now come to the Councils whoſe Authority may contribute to the Eſtabliſhment of the matter I examin, and I begin with the Firſt Council of *Arles*, which the Emperour *Conſtantine* aſſembled in the Year 314, a Council famous for the Decrees there made, and for the number of Biſhops which were there preſent, for there was 600, if ſeveral Writers may be credited. In effect, there is in the Collection of Letters of *Ireland* by Biſhop *Uſher*, a Letter of *Cummin* a Frieſt, to the Abbot *Seguinus* touching the keeping *Eaſter*, wherein he wrote to him above a 1000 years ago. *That the Council of* Arles *compoſed of* 600 *Biſhops, confirm'd in the Firſt Cannon what had been concluded upon for the obſerving of* Eaſter, *that is to ſay, that it ſhould be Celebrated all over the World at one time, and one day*: *Ado* Biſhop of *Vienna*, in the Ninth Century, writes in the Sixth Age of his Chronicle, That in the time that *Marin* was Biſhop of *Arles*, there met a Council of 600 Biſhops In the 10*th Spicilegium* of *Dom Luke D' Achery*, and in the Additions, there is to be ſeen an obſervation touching Synods, which was taken from an Antient Collection writ above 800 years ago, wherein mention is made

Ep. 11. p. 28.

of

of the Council we ſpeak of, and of the number of 600 Biſhops there preſent; and apparently it was in reference to this great number of Prelates, that the Fathers of the Second Council aſſembled in the ſame City in the year 542, ſaid in the Eighteenth Cannon, *That the firſt was aſſembled from all parts of the World.* Tom 10. p 633. Tom. 1. Conc. Gall. p. 105.

However it be, the Tenth Cannon of the Firſt Council which concerns the buſineſs we treat of, is expreſſed in theſe terms; *As to young Men that are Believers, which ſurprize their Wifes in Adultery, and who are forbidden to marry others, It has ſeem'd good to us that they ſhould be advis'd as much as may be; not to marry again during their Wifes life time although Adultereſſes.* I gather two things from this Cannon, Firſt, Before the holding this Council, there were thoſe which prohibited them which left their Wifes for Adultery to marry again. Secondly, That the Fathers of the Council to the number of 600, amongſt which there are Two Prieſts and Two Deacons of the Church of *Rome*, which held the place of *Silveſter* its Biſhop; theſe Prelates having maturely examined the buſineſs, changed the Prohibition into an Advice which they deſired might be followed, but no farther than Mans weakneſs could bear, which ſhews that they did not believe as now a days in the *Romiſh* Communion, That the Band of Marriage is indiſſolvable, though Adultery ſhould intervene. Tom. 1. Conc. Gall. p. 6.

In the year of our Lord 465 there was held a Council at *Vannes* in *Brittany*, ſee here its Second Cannon. *As for thoſe who forſake their Wifes, unleſs it be in caſe of Adultery, as is expreſſed in the Goſpel, and do Marry others without having proved the Adultery, we ordain they ſhall be deprived of the Lords Supper, that is to ſay Excommunicated, leſt through our remiſſneſs Sins unpuniſhed may incline others to licentiouſneſs.* It appears by this Cannon, Tom. 1. Gall. p. 138.

Cannon, that when the Adultery was proved, it was permitted to conclude another Marriage; it was ſo 'twas underſtood by Father *Sirmond* on the Letter of *Auitus* above-mentioned, wherein he was followed by his Nephew Mr. *De la Lande* Treaſurer, of the Church of St. *Framburg* of *Senlis*; for in the Supplement of *French* Councils, he explains this Cannon in the ſame manner as I have explained it, and this ought not to be regarded as a private interpretation, ſeeing this Supplement was approved by the Clergy of *France* aſſembled at *Paris* in the years 1655, and 56.

pag. 349.

The Synod of *Agde* in *Languedoc* in the year 506, marches in the ſame ſteps of that of *Vannes*, in the 25*th* Cannon, which Excommunicate thoſe which put away their Wifes to marry themſelves to others, before they repreſent to the Biſhops of the Province the cauſes of their Separation, and before their Wifes have been condemn'd, that is for Adultery; for when they were once convicted, Husbands were permitted to Marry others; it is what is lawfully infer'd from this Cannon.

Tom. 1. Conc. Gall. p. 165.

Theodore Arch-Biſhop of *Canterbury* held a Synod in the year 670, as *Beda* writes in his Eccleſiaſtical Hiſtory of *England*, wherein he made theſe Cannons relating to Marriage. *Let no Man forſake his Wife unleſs it be for Fornication, as the Goſpel does direct: If any one puts away his Wife whom he has lawfully marryed, let him not marry another; if he will be a good Chriſtian, but let him continue as he is, or let him be reconcil'd to his own Wife:* That is, If he puts her away for any other cauſe than for Adultery; And it can't be queſtion'd but this is the true meaning of the words of *Theodore*, eſpecially if one conſiders that in *Dom Luke D' Achery*'s Ninth *Spicilegium*, There are a certain number of Cannons choſen out

Lib. 4. c. 5.

out of all thoſe of the ſaid *Theodores*, the 116*th* of which formally contains this Decree, *It is permitted to him whoſe Wife has committed Adultery, to put her away, and to take another.* pag. 62.

Gratian attributes this Decree to Pope *Zachary* who liv'd in the Eighth Century; *You have layn with your Wifes Siſter, if it be ſo, you cannot have to Wife neither the one nor the other; but as for her that was your Wife, if ſhe conſented not to this crime, and that ſhe cannot contain, ſhe may marry in the Lord to whom ſhe thinks fit.* The Antient Copies, Manuſcripts and Old Editions of *Gratian* produce this Decree, as being Pope *Zachary*'s; yet there are Compilers of Decrees which have cited it as having taken it out of the *Roman* Penitential; but 'tis nothing the leſs conſiderable, ſeeing 'twas the *Penitential* whereof *Zachary* was the Compiler. The Author of the *Gloſs* explains the laſt words of the Cannon in this manner, *Let her marry to whom ſhe will:* He explains them in adding theſe others, *after the Death of her Husband*; As if a Woman whoſe Husband was Dead, was not in full liberty to re-marry, without having any permiſſion for ſo doing; whereas here there is queſtion of a Man convicted of Adultery, whereby Marriage is diſſolv'd; therefore the Woman which is Innocent, and has no ſhare in the Husbands Crime, ſhe is permitted to re-marry; *Eraſmus* on the *7th chap.* of the 1. Ep. to the *Cor.* where he examins the Queſtion, *Whether Divorce is ſometimes permitted amongſt Chriſtians*; *Eraſmus* reproves and condemns the *Gloſs* I but juſt now cited, as being contrary to the words of the Decree, and to the intention of Pope *Zachary*, to whom 'tis attributed, and he does ſo againſt the Maſter of Sentences, who had interpreted the Cannon with this addition, that is to ſay, *after the Death of the Huſband.* ca. 32. q. 7. Conc. Concubinii. Binchard. lib. 19. c. 5. Eaq. Lib. 4. diſt. 34.

The

Tom. 2. Conc. Gall. p. 2. The Council of *Verberie* in *Vallois* aſſembled in the year 752, made ſeveral Decrees, the Second whereof is compriz'd in theſe terms. *If any one carnally knows his Wifes Daughter, he cannot have the Mother nor Daughter, and neither ſhe nor him cannot never after marry any others; but as for the Wife, if ſhe will, and if ſhe cannot contain, if after ſhe comes to know the Husband committed Adultery with her Daughter, ſhe has no farther carnal knowledge with him, ſhe may marry another Perſon, unleſs ſhe will voluntarily abſtain; and in the Tenth Cannon; If a Son has committed Adultery with the Wife of his Father, neither he nor ſhe cannot marry, but as for the Husband, if he will, he may marry another Wife; yet it were better to abſtain.*

Ib. Can. 8. p. 43. That of *Compiegne* made this Decree Seven years after: *If a Man has a lawful Wife, if his Brother commits Adultery with her, let not the Brother nor Wife which have been guilty of Adultery, never marry during life; But as for the Husband of the Wife, he is at his liberty to marry again if he pleaſe*: The Fourteen and Fifteen Cannons Eſtabliſh alſo the ſame Diſcipline. The Eighth Cannon is alſo found in the Fifth Book of Capitularies, *chap.* 19. it is apparently the Eighth Cannon of the Council reported by *Gratian*, though in ſomething different terms. *Cauſ.* 32. *q.* 7. *c. Quædam*; under the Name of a Decree of a certain Council.

In the *Roman* Collection printed at *Rome* Fifteen years ago by Order of Cardinal *Francis Barberin*, Vice-Chancellor, and Dedicated by him to Pope *Alexander* the Seventh. There is found Two Synods held at *Rome* in the Ninth Century, One under *Eugenius*, the Second, the other under *Leo* the Fourth, and by the conſtitutions of the one and the other, one may ſeparate for reaſon of Adultery, with power to re-marry; See here

here what is contained in the 36th. Cannon of the former; *That it be not permitted to any one whatſoever to forſake his Wife, and to joyn himſelf to another, unleſs it be in caſe of Adultery, otherwiſe the offender muſt take the former.* The ſame Cannon is repeated in the Second, in the ſame Terms, and under the ſame Number of 36. Ibid. P. g. 92.

The Council of *Tribur*, whereof I have already ſpoke, on the 13th Article, confirms the ſame practiſe in the 41. Cannon, where the Fathers require, that Biſhops having regard to human frailty, ſhould comfort thoſe who have been ſeparated for Adultery, and which cannot contain, in ſuffering them to re-marry after having fulfill'd the time of their pennance.

The Frier *Blaſtares* whom I have already cited ſeveral times, teſtifies that the *Greek* Church uſed ſo in his time, that is, in the 14th. Century, for amongſt the ſeveral reaſons for diſſolving Marriage, he reckons Adultery, for the which he declares Marriage may lawfully be diſſolved, and contract another, after ſentence of the Judges. Let. G. c. 13. pag. 73, 74.

It was in regard to this practiſe of the *Eaſtern* Nations, that the Ambaſſadors of *Venice* cauſed to be read in the Council of *Trent* a demand they made on the Anathema of divorces, which contain'd in ſubſtance, that their Republick held the *Iſlands*, and Kingdoms of *Cyprus*, *Candy*, *Corfou*, *Zante*, *and Cephalony*, inhabited by *Greeks*, who time out of mind have been wont to put away the wife guilty of Adultery, and to Marry another, and that this Cuſtom known to the whole Church, Was never condemned nor blamed by any Council, and therefore that the Fathers would be pleaſed to diſpoſe the Cannon that treated thereof in ſuch a way, as ſhould not be prejudicial to them, to which the Council had ſome regard, for the Opinion of the *Greeks* was not there directly condemn'd. Hiſt. of the Council of Trent by P. Saovo. lib. 8. pag. 920, 921.

above tranſcrib'd, ſpeaks in this manner; *Let them know how great the crime of condemnation is which thoſe do incur in the ſight of God, who being overcome with the unbridled pleaſure of Luſt, and without cauſe of Adultery, caſt off their Wifes to paſs on to another Marriage.* It appears by the reaſoning of *Chromatius*, that if they caſt them off for Adultery, they were permitted to re-marry, and having ſhewn that though the Laws of Men ſuffer'd to repudiate ones Wife for other cauſe than Adultery, thoſe which did it were nevertheleſs inexcuſable, but their ſins was ſo much the greater, that they preferred the Laws of Men before the Law of God; After this I ſay, he adds, *As it is not permitted to caſt off a woman that lives chaſtly and honeſtly; ſo alſo 'tis permitted to repudiate an Adultereſs, becauſe ſuch a one renders her ſelf unworthy of her Husbands Company, which in ſinning againſt her own Body, had the boldneſs to defile the Temple of God.*

Tom. 2. Bibl. Sal. p. 168.

The Deacon *Hillary*, a Writer of the Fourth Century, in his Commentaries on St. *Pauls* Epiſtles, in the Third Volume of St. *Ambroſe* his Works. *Hillary* Expounding theſe words of the *11th verſe* of the *7th chap.* of the 1 Ep. to the *Cor.* *Neither let the Woman forſake her Husband*, he thus explains himſelf, *it muſt be underſtood, except it be for the cauſe of Adultery, becauſe it is permitted for the Husband to marry, after having repudiated his Wife for cauſe of Adultery.*

pag. 365.

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of the Communion of the Church nor of Eternal Life; but it bears with them for infirmity ſake, not that he ſhould have two Wifes at once, the one being yet alive, and in being, but to the end that after having left one, he may, if he will, take another lawfully. The Jeſuit *Petau* in his Notes on the words of St. *Epiphanius* does acknowledge this was the Opinion of this Antient Doctor, but he adds, That if at that time it was ſuffer'd to have it, becauſe the Church had not yet determin'd any thing in this matter, it is not permitted at this time, after the deciſion of the Council of *Trent*, nevertheleſs he owns this Decree of *Trent* is not agreeable to ſome of thoſe cited by *Gratian*, *cauſa* 32. *quæſt.* 7. and alſo that Cardinal *Cajetan*, and ſome other Doctors of his Communion have followed an Opinion contrary to the definition of the Fathers of *Trent*; that is to ſay, That they believed that 'tis permitted to a Chriſtian to put away his Wife for Adultery, and to marry another; in effect, not only *Cajetan* on the 19*th chap.* of St. *Matth.* but alſo *Ambroſe Catharine* in the Fifth Book of his Annotations, and *Eraſmus* on the 7*th chap.* of the 1 Ep. to the *Corinth.* have been of this Judgment.

Tom. 2. p. 255.

Seſſ. 24. cap. 7.

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I now come to the Councils whoſe Authority may contribute to the Eſtabliſhment of the matter I examin, and I begin with the Firſt Council of *Arles*, which the Emperour *Conſtantine* aſſembled in the Year 314, a Council famous for the Decrees there made, and for the number of Biſhops which were there preſent, for there was 600, if ſeveral Writers may be credited. In effect, there is in the Collection of Letters of *Ireland* by Biſhop *Uſher*, a Letter of *Cummin* a Frieſt, to the Abbot *Seguinus* touching the keeping *Eaſter*, wherein he wrote to him above a 1000 years ago. *That the Council of* Arles *compoſed of* 600 *Biſhops, confirm'd in the Firſt Cannon what had been concluded upon for the obſerving of* Eaſter, *that is to ſay, that it ſhould be Celebrated all over the World at one time, and one day*: *Ado* Biſhop of *Vienna*, in the Ninth Century, writes in the Sixth Age of his Chronicle, That in the time that *Marin* was Biſhop of *Arles*, there met a Council of 600 Biſhops. In the 10*th Spicilegium* of *Dom Luke D' Achery*, and in the Additions, there is to be ſeen an obſervation touching Synods, which was taken from an Antient Collection writ above 800 years ago, wherein mention is made

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However it be, the Tenth Cannon of the Firſt Council which concerns the buſineſs we treat of, is expreſſed in theſe terms; *As to young Men that are Believers, which ſurprize their Wifes in Adultery, and who are forbidden to marry others, It has ſeem'd good to us that they ſhould be adviſ'd as much as may be; not to marry again during their Wifes life time although Adultereſſes.* I gather two things from this Cannon, Firſt, Before the holding this Council, there were thoſe which prohibited them which left their Wifes for Adultery to marry again. Secondly, That the Fathers of the Council to the number of 600, amongſt which there are Two Prieſts and Two Deacons of the Church of *Rome*, which held the place of *Silveſter* its Biſhop; theſe Prelates having maturely examined the buſineſs, changed the Prohibition into an Advice which they deſired might be followed, but no farther than Mans weakneſs could bear, which ſhews that they did not believe as now a days in the *Romiſh* Communion, That the Band of Marriage is indiſſolvable, though Adultery ſhould intervene. Tom. 1. Conc. Gall. p. 6.

In the year of our Lord 465 there was held a Council at *Vannes* in *Brittany*, ſee here its Second Cannon. *As for thoſe who forſake their Wifes, unleſs it be in caſe of Adultery, as is expreſſed in the Goſpel, and do Marry others without having proved the Adultery, we ordain they ſhall be deprived of the Lords Supper, that is to ſay Excommunicated, leſt through our remiſſneſs Sins unpuniſhed may incline others to licentiouſneſs.* It appears by this Cannon, Tom. 1. Gall. p. 138.

Cannon, that when the Adultery was proved, it was permitted to conclude another Marriage; it was ſo 'twas underſtood by Father *Sirmond* on the Letter of *Auitus* above-mentioned, wherein he was followed by his Nephew Mr. *De la Lande* Treaſurer, of the Church of St. *Framburg* of *Senlis*; for in the Supplement of *French* Councils, he explains this Cannon in the ſame manner as I have explained it, and this ought not to be regarded as a private interpretation, ſeeing this Supplement was approved by the Clergy of *France* aſſembled at *Paris* in the years 1655, and 56.

pag. 349.

The Synod of *Agde* in *Languedoc* in the year 506, marches in the ſame ſteps of that of *Vannes*, in the 25*th* Cannon, which Excommunicate thoſe which put away their Wifes to marry themſelves to others, before they repreſent to the Biſhops of the Province the cauſes of their Separation, and before their Wifes have been condemn'd, that is for Adultery; for when they were once convicted, Husbands were permitted to Marry others; it is what is lawfully infer'd from this Cannon.

Tom. 1. Conc. Gall. p. 165.

Theodore Arch-Biſhop of *Canterbury* held a Synod in the year 670, as *Beda* writes in his Eccleſiaſtical Hiſtory of *England*, wherein he made theſe Cannons relating to Marriage. *Let no Man forſake his Wife unleſs it be for Fornication, as the Goſpel does direct: If any one puts away his Wife whom he has lawfully marryed, let him not marry another; if he will be a good Chriſtian, but let him continue as he is, or let him be reconcil'd to his own Wife:* That is, If he puts her away for any other cauſe than for Adultery; And it can't be queſtion'd but this is the true meaning of the words of *Theodore*, eſpecially if one conſiders that in *Dom Luke D' Achery*'s Ninth *Spicilegium*, There are a certain number of Cannons choſen out

Lib. 4. c. 5.

out of all thoſe of the ſaid *Theodores*, the 116*th* of which formally contains this Decree, *It is permitted to him whoſe Wife has committed Adultery, to put her away, and to take another.* pag. 62.

Gratian attributes this Decree to Pope *Zachary* who liv'd in the Eighth Century; *You have layn with your Wife's Siſter, if it be ſo, you cannot have to Wife neither the one nor the other; but as for her that was your Wife, if ſhe conſented not to this crime, and that ſhe cannot contain, ſhe may marry in the Lord to whom ſhe thinks fit.* The Antient Copies, Manuſcripts and Old Editions of *Gratian* produce this Decree, as being Pope *Zachary*'s; yet there are Compilers of Decrees which have cited it as having taken it out of the *Roman* Penitential; but 'tis nothing the leſs conſiderable, ſeeing 'twas the *Penitential* whereof *Zachary* was the Compiler. The Author of the *Gloſs* explains the laſt words of the Cannon in this manner, *Let her marry to whom ſhe will:* He explains them in adding theſe others, *after the Death of her Husband*; As if a Woman whoſe Husband was Dead, was not in full liberty to re-marry, without having any permiſſion for ſo doing; whereas here there is queſtion of a Man convicted of Adultery, whereby Marriage is diſſolv'd; therefore the Woman which is Innocent, and has no ſhare in the Husbands Crime, ſhe is permitted to re-marry; *Eraſmus* on the *7th chap.* of the 1. Ep. to the *Cor.* where he examins the Queſtion, *Whether Divorce is ſometimes permitted amongſt Chriſtians*; *Eraſmus* reproves and condemns the *Gloſs* I but juſt now cited, as being contrary to the words of the Decree, and to the intention of Pope *Zachary*, to whom 'tis attributed, and he does ſo againſt the Maſter of Sentences, who had interpreted the Cannon with this addition, that is to ſay, *after the Death of the Huſband.* ca. 32. q. 7. Conc. Concubaiſii. Binchard. lib. 19. c. 5. Esq. Lib. 4. diſt. 34.

The

Tom. 2. Conc. Gall. p. 2. The Council of *Verberie* in *Vallois* aſſembled in the year 752, made ſeveral Decrees, the Second whereof is compriz'd in theſe terms. *If any one carnally knows his Wifes Daughter, he cannot have the Mother nor Daughter, and neither ſhe nor him cannot never after marry any others; but as for the Wife, if ſhe will, and if ſhe cannot contain, if after ſhe comes to know the Husband committed Adultery with her Daughter, ſhe has no farther carnal knowledge with him, ſhe may marry another Perſon, unleſs ſhe will voluntarily abſtain; and in the Tenth Cannon; If a Son has committed Adultery with the Wife of his Father, neither he nor ſhe cannot marry, but as for the Husband, if he will, he may marry another Wife; yet it were better to abſtain.*

Ib. Can. 8. p. 43. That of *Compiegne* made this Decree Seven years after: *If a Man has a lawful Wife, if his Brother commits Adultery with her, let not the Brother nor Wife which have been guilty of Adultery, never marry during life; But as for the Husband of the Wife, he is at his liberty to marry again if he pleaſe:* The Fourteen and Fifteen Cannons Eſtabliſh alſo the ſame Diſcipline. The Eighth Cannon is alſo found in the Fifth Book of Capitularies, *chap.* 19. it is apparently the Eighth Cannon of the Council reported by *Gratian*, though in ſomething different terms. *Canſ.* 32. *q.* 7. *c. Quædam*; under the Name of a Decree of a certain Council.

In the *Roman* Collection printed at *Rome* Fifteen years ago by Order of Cardinal *Francis Barberin*, Vice-Chancellor, and Dedicated by him to Pope *Alexander* the Seventh. There is found Two Synods held at *Rome* in the Ninth Century, One under *Eugenius*, the Second, the other under *Leo* the Fourth, and by the conſtitutions of the one and the other, one may ſeparate for reaſon of Adultery, with power to re-marry; See here

here what is contained in the 36th. Cannon of the former; *That it be not permitted to any one whatſoever to forſake his Wife, and to joyn himſelf to another, unleſs it be in caſe of Adultery, otherwiſe the offender muſt take the former.* The ſame Cannon is repeated in the Second, in the ſame Terms, and under the ſame Number of 36. Ibid. Pag. 92.

The Council of *Tribur*, whereof I have already ſpoke, on the 13th Article, confirms the ſame practiſe in the 41. Cannon, where the Fathers require, that Biſhops having regard to human frailty, ſhould comfort thoſe who have been ſeparated for Adultery, and which cannot contain, in ſuffering them to re-marry after having fulfill'd the time of their pennance.

The Frier *Blaſtares* whom I have already cited ſeveral times, teſtifies that the *Greek* Church uſed ſo in his time, that is, in the 14th. Century, for amongſt the ſeveral reaſons for diſſolving Marriage, he reckons Adultery, for the which he declares Marriage may lawfully be diſſolved, and contract another, after ſentence of the Judges. Let. G. c. 13. pag. 73, 74.

It was in regard to this practiſe of the *Eaſtern* Nations, that the Ambaſſadors of *Venice* cauſed to be read in the Council of *Trent* a demand they made on the Anathema of divorces, which contain'd in ſubſtance, that their Republick held the *Iſlands*, and Kingdoms of *Cyprus*, *Candy*, *Corfou*, *Zante*, *and Cephalony*, inhabited by *Greeks*, who time out of mind have been wont to put away the wife guilty of Adultery, and to Marry another, and that this Cuſtom known to the whole Church, Was never condemned nor blamed by any Council, and therefore that the Fathers would be pleaſed to diſpoſe the Cannon that treated thereof in ſuch a way, as ſhould not be prejudicial to them, to which the Council had ſome regard, for the Opinion of the *Greeks* was not there directly condemn'd. Hiſt. of the Council of Trent by P. Saovo. lib. 8. pag. 920, 921.

It appears clearly by what has been hitherto ſaid, that the Eſtablishment of our Diſcipline, is very judicious and very conformable to the uſe and practiſe of the Ancient Church, and alſo to that of the preſent *Greek* Church; ſo that the innovation is in thoſe which have forſaken the ways of their Fathers, and have taken a quite contrary courſe, in teaching that the band of Marriage is not to be broke, not even for cauſe of Adultery; yet I cannot think Pope *Urban* the ſecond was ſo ſevere, nor that he would abſolutely have forbidden Marriage to a man that had left his wife after having convicted her of Adultery, and what makes me think ſo, is, for that in a Synod he held *An*: 1093. At *Troys* in *Poulle*, it was reſolved in the firſt Cannon, to diſſolve the Marriage of two perſons that were nearly related, on this condition however, *That if they ſeparated according to the Judgment of the Biſhops, they were permitted to contract other Marriages, becauſe they were young*; what likelihood that *Urban* with his Synod compoſed of 70 Biſhops and 12 Abbots, ſhould not have judged the band of Matrimony indiſſoluble in regard of thoſe, and that he would have thought it ſo after the Adultery of one of the parties.

Apud Marcam de conc. li. 4. c. 14. pag. 282.

I am confident if occaſion had offer'd, this Pope would not have done otherwiſe in regard of perſons which ſeparated by reaſon of Adultery, then the two *Roman* Synods I but now cited in the 9th. Century, and the Councils of *Verbery* and *Compeign*, in the 8th. who permitted as has been ſhewn, to the innocent party, to re-marry, when the band of the former Marrirge is quite broke by Adultery; certainly the Fathers of theſe two Councils intended not to forbid Marriage to thoſe which Adultery had ſeparated, ſeeing they allowed ſeparation for things of much leſs moment than is that of Adultery, and that at the ſame time they grant power and liberty to

re-marry

re-marry anew, for Example, the 3d. Cannon of the Synod of *Verbery* is conceiv'd in theſe terms; *If a Prieſt has Marry'd his Neece, let him leave her, and be depoſed; If another takes her to wife, let him put her away alſo, becauſe 'tis a thing blame worthy that another Man ſhould marry her which was put away by a Prieſt; but if the man cannot contain, let him marry ſome other.* Tom. 1. conc. Gal. pag. 3.

The 5th. cannon contains this Decree; If a Woman has contriv'd the Death of her Husband with other Men, *and that the Husband in his own defence kills him that comes to murder him, and that he can prove it; he may repudiate his Wife, and marry another if he pleaſe.* The 9th. permits him that is forced to quit his Country to go to live in another, and that his Wife will not follow him, it permits him to Marry another.

In the 6th. it is permitted to a free Man that ſhall have Marry'd a ſlave, thinking her to be of a free condition, he is permitted to take another, if the firſt be put again under ſervitude, and that ſhe cannot be ranſomed, the ſame power is given to a free woman that ſhall marry a ſlave, not knowing he was ſo, unleſs he had been forced by famine to ſell himſelf by conſent of his Wife, and that the price of the ſale of the Husband had ſerved to preſerve the Wife from Want and periſhing by famine; beſides this, the Woman might put away her Husband, and Marry another, if ſhe cannot contain.

This laſt Cannon of the Synod of *Verbery* in the 5th. of that of *Compeign*, where we Read theſe words; If a free man has taken in Marriage a woman whom he thought to be free, and afterwards he found ſhe was not, let him put her away if he will, and let him Marry another. Ubi ſupra 42,43,44

The 4th. of the ſame Council of *Compeign* makes this ordinance; If a man has marri'd his Wifes Daughter being

of a free ſtate, to a free man, or to a ſlave, or to a Churchman, and that he married her againſt her will, and againſt the will of her Mother, and her relations, if ſhe will not have him for a Husband, and that ſhe leave him, her Relations may give her another, or if ſhe herſelf has Married another, after having left the firſt, let them not be ſeparated.

In the 13th. we Read this, if any one has left his wife; and in conſideration of Piety and Religion, he has given her liberty to enter into a Monaſtery; or that for the Love of God, he has ſuffer'd her to take the vail out of a Monaſtery; let this Man take a lawful wife, and let the Woman do the ſame on the like occaſion.

The 16th. is contained in theſe words, if a Leprous man has a Wife that is clean and ſound, and that he will ſuffer her to marry another, let the woman marry another if ſhe pleaſe, and let the Husband do the ſame. Pope *Stephen* the ſecond preſcribed near hand the ſame thing three years before, from whence may be gathered, that according to all appearance he would have made no difficulty to approve the re-marrying of thoſe whom Adultery had ſeparated.

Ib. can. 2. 9.

Nevertheleſs I could produce ſeveral other proofs for Eſtabliſhing the matter I Examine, if I feared not to be to tedious, I will therefore end this enquiry by two remarks; the firſt concerns Eccleſiaſtical Writers which teach, that it is lawful to ſeparate for Adultery, as *Tertullian* who thus explains himſelf; *If God has prohibited under ſuch condition to put away ones Wife, he has not abſolutely forbidden it; and what he has not abſolutely forbidden, he has permitted.* *Lactantius* ſaith, *That he is an Adulterer that forſakes his Wife, to marry another, if he leaves her for any other cauſe then for the Sin of Adultery, The Law ſaith* Gregory Nazianzen *gives the Bill of Divorce for all things*

Contr. Marc. l. 4. c. 34.

Lib. 6. Divin. Inſtit. orat. 31. p. 501

things; but as for Jeſus Chriſt he gives it not for all things, but he only permits to ſeparate from the ſhameleſs and adulterous woman: This ſeparation if we follow the Explication of Father *Sirmond* on the 46th. Letter of *Auctus*, imports the Power of Marrying another, to which amounts alſo what is ſaid by *Theophilact* on the 5th. chap. of St. *Matth*: That he that put away his Wife for juſt cauſe, *That is to ſay for Adultery, is not ſubject to any condemnation*: I ſay the ſame of all thoſe which have explained themſelves near hand in the ſame manner, as St. *Baſil* in his firſt Cannonical Epiſtle to *Amphilochius*, Can. 9th. and ſome other.

In my ſecond Remark I produce the Teſtimonies of two famous Doctors of the *Greek* Church, which teſtifie Marriage is entirely diſſolved by Adultery, and that the band is quite broke, the firſt is of St. *Chryſoſtome* who in his Homilies on the 7th. chap. of the firſt Epiſtle to the Cor. teaches poſitively, That the Husbnd which puts away an Adulterous Wife is not culpable; And if you ask him the Reaſon, he'll tell you it is, The Marriage is already diſſolved, and that after the fornication, the the Husband is no longer a Husband. Hom. 19. pag. 484, 485.

The other Witneſs is *Theodoret*, who Treating of this buſineſs in his Therapeutique, or manner of healing the affections of the *Greeks*, makes this Reflection, worthy himſelf: *The Authour of Nature in Creating human Nature made at firſt one Man and one Woman, and forbid to diſſolve Marriage, having not ſuffer'd to diſſolve it, but for one only cauſe which indeed doth break the band*: And having inſtanced the Words of the Goſpel where Jeſus Chriſt ſuffers to ſeparate for Adultery, and to Marry again, He adds. *By theſe Words Jeſus Chriſt commands to bear all other faults in a Woman, her prating, Drunkenneſs, Evil ſpeaking; but if ſhe violates the Lawes of Marriage,* Serm. 9. Legib. l. 4 pag. 619. Ib. p. 620.

riage, then He commands to diſſolve and break the Bands: Nothing can be deſir'd more poſitive nor more clear for proving the matter I treat of, therefore I conclude, in obſerving, that St. *Chryſoſtom* and *Theodoret's* Depoſitions do no leſs favour the Article of our Depoſition, than the Teſtimonies I produced at firſt, as well of Eccleſiaſtical Writers, as of Councils, by all which I have made clearly appear, that in the Ancient Church they were perſwaded, as they are at this preſent amongſt the *Greeks*, and amongſt the Proteſtants, that Jeſus Chriſt ſuffers Chriſtians to ſeparate from their Wifes for the reaſon of Adultery, and to marry others.

XXX.

If it ſhould happen that after Contracts and Promiſes made, and before the accompliſhing of Marriage, the Bride is found to have committed fornication, before or after the ſaid promiſes, and that 'twas unknown to him that had promiſed her Marriage, after definitive ſentence as aboveſaid, the Conſiſtory may proceed to a new Marriage; the Bride ſhall have the ſame liberty if it be found that the Bridegroom has been guilty of fornication before the ſaid promiſes.

CONFORMITY.

There is in the third Volume of the Councils of *France*, a Letter of Pope *John* the 8th. to *Walenus* Biſhop of *Metz*, by which he lets him underſtand that he
An. 879. pag. 491. is to blame againſt the Authority of the Cannons to go about to conſtrain a Man to Marry his Sweet-heart although ſhe be found with child by ſome body elſe before conſummation of the Marriage.

XXXI.

XXXI.

The Wifes whoſe Husbands ſhall be abſent a long while in Voyages, for Merchants or otherwiſe, ſhall have recourſe to the Magiſtrate, if they deſire to be re-marry'd.

CONFORMITY.

St. *Baſil* in his 2 Canonical Epiſtle puts in the Number of Adulterous Women thoſe which re-marry before they are certain of the death of their abſent Husbands, yet in ſuch a way as that he will have the Wifes of thoſe that are in the Wars treated ſomething more favourably than others, becauſe a long abſence makes it more be believ'd they are dead, than others which are abſent for ſome other Subject. Can. 31. 36. 4. 3. pag. 32.

Pope *Leo* the firſt Writing to *Nicetas* Biſhop of *Aquilea* touching Women that have re-marry'd after a long abſence of their Husbands who had been carry'd away Captives, he Orders that at their return, they may be permitted to reaſſume their Wifes, who to this purpoſe are to ſeparate from their ſecond Husband, it was alſo the Opinion of *Innocent* I. Ep. 9. Ep. 79. c. 1, 2, 3, 4. pag. 148, 149.

Theodore Archbiſhop of *Canterbury* whom I cited on the 29th. Article, ſuffers a Lay man whoſe Wife has abſented, to marry another at the expiration of ſeven years, with conſent of the Biſhop, and at the End of one year, if ſhe has been taken away Captive by force. Can. 113. 4. q. 5 Spicil. p. 62.

The 83 Cannon of the 6 univerſal Council, follows near hand the Diſcipline of St. *Baſil*, and partly that of *Leo* the Firſt. Tom. 5. conc. pag. 347.

The 9th. of that of *Verbery*, which I have mention'd ſeveral times, ſuffers a Man who is forced to change Coun-

Countries, and whoſe Wife will not follow him, it ſuffers him to marry another, if he cannot contain, *Tom.* 2. *Conc. Gall. pag.* 3.

Photius in the 13 Title, *Can.* 2. of his *Nomocanon*, declares the Time and the Manner that the Wife of the abſent Husband is to obſerve before ſhe re-marries.

The Friar *Blaſtares* follows the ſteps of *Photius*, and when the abſence of the Husband or the Wife is cauſed by Captivity, he determins that if in five years no news be heard, the Marriage is void.

XXXII.

As for the Wifes of Prieſts and Friers, which revolt and return to Idolatry, ſinging Maſs, or returning to their Cloyſters from whence they came out before, they are advertis'd to inhabit no longer with their ſaid Husbands during their Apoſtaſie, not to load Marriage with blame and ignominy, and alſo ſhall not marry with others, until the firſt marriage be diſſolv'd by the Magiſtrate.

CONFORMITY.

To this Article may be referr'd the 44 *Cannon* of the 2d. Cannonical Epiſtle of St. *Baſil*, with the interpretations of *Balſamon*, and *Zonaras*, the 13th. Cannon of the firſt Council of *Orleans* of the year 511. and the 3d. of that of *Verbery*, aſſembled *Anno* 752. for in all theſe places, ſomething is ordain'd which comes very nigh the Eſtabliſhment of our Diſcipline.

Tom. 1. conc. Gall. pag. 150. & Tom. 2. pag. 2.

CHAP.

CHAP. XIV.

Of Particular Rules and Advertiſements.

ARTICLE I.

NO Body ſhall be received to the Communion of the Church. until he has firſt publickly renounced all Superſtitions and Idolatries of the Church of Rome, *and of the Maſs, eſpecially.*

CONFORMITY.

The Church in all Ages has refuſed to receive Perſons into her Communion, until they had firſt given an account of their Faith, and had renounced all Errors they had formerly profeſſed, and all the falſe Worſhip they had before preached; I may prove this Truth by ſundry Cannons, but I'le only produce ſome, the thing being clear of it ſelf; The Sixth Cannon of *Laodicea* is expreſs on this Subject. *Hereticks muſt not be permitted to enter into the Houſe of God, if they perſevere in their Hereſie.* The Seventh is no leſs formal; *Thoſe amongſt the* Novatians, Photinians, *or* Quarto decimans, *nor thoſe amongſt them they call Believers, until they firſt anathematize all Hereſie, eſpecially that wherein they were detain'd.* To this ſame Subject may be apply'd the 37*th* and 58*th* Cannons of the ſame Synod; about Forty years before the Great Council of *Nice* had order'd in the VIII. Cannon touching the *Catharians*, that when they return'd to the Communion of the Church, they ſhould be oblig'd to declare by writing, *That they imbrac'd all the Doctrines of the Catholick and Apoſtolick Church:* And that by conſequence they renounce all the Errors contrary to them, and wherewith they had been infected,

and becauſe all Errors are not alike dangerous, the Second Oecumenical Council aſſembled at *Conſtantinople* in the year 381, preſcribes in the Seventh Cannon, the manner of receiving thoſe which turn to the Church, and this method is different according to the Diverſity of Errors of thoſe which are converted, but after all, the leaſt that is expected of them, *Is to anathematize by Writing, all manner of Hereſie as doth not agree with the Dogma's of the Holy Catholick and Apoſtolick Church.*

II.

A Believer is not permitted to intermeddle in any thing wherein there may be an intermixture of Idolatry, as that which is called the Kiſs of the hand, or the Ceremony of the Church, keep Maſſes, Vigils, and maintain Friers which are appointed for that purpoſe; But to hold Priories, Revenues, Rents, Chappellanies, and Tythes to pay the Revenue to Churchmen, inaſmuch as they are Temporal Lords, it is a thing indifferent, and at the liberty of thoſe that pleaſe to do it; Nevertheleſs Believers are advertis'd not to intermeddle in thoſe matters, if they find any abuſe therein, or appearance of any ill conſequence, whereof the Conſiſtories ſhall take ſpecial heed.

CONFORMITY.

It's only requiſite to read what I have ſaid on the Nineteenth Article of the Fifth *chap.* which is that of Conſiſtories, to ſee after what manner thoſe are treated in the Primitive Church as were any way poluted with Idolatry: I will here only add two things, Firſt, That the Ancient Fathers called Idolatry, *Crimen principale, ſummum ſcelus, principale crimen genneris humani, ſummum ſæculi reatus, tota cauſa judicii:* And by theſe expreſſions they would let Chriſtians, ſee how much they ſhould abhor Idolatry, ſeeing it breaks all manner of Communion with God. Secondly, That the Council of

of *Laodicea* after having declared in the 35*th* Cannon, that Chriſtians ſhould not forſake the Church of God to follow Angels to invoke them it makes this Mennace, *If any one be found to ſerve this hidden Idolatry, let him be anathematiſed, becauſe he has forſaken our Lord Jeſus Chriſt the Son of God, and is turn'd to Idolatry.*

The Reader may obſerve if he pleaſe that the Fathers of *Laodicea*, think one abandons Jeſus Chriſt, and forſakes him, at the very inſtant one makes any ſtep towards Idolatry; and 'twill be to no purpoſe to ſay that one often thinks there is Idolatry where there is none, becauſe that as ſoon as ever a Man thinks there is Idolatry he ought not be concern'd, more nor leſs, although he might be miſtaken in his Judgment; for he would betray his own Conſcience, and indanger his Salvation, ſeeing that in matter of Religion, all that is done without Faith is Sin, as St. *Paul* ſaith.

III.

Thoſe who by unlawful means, as by Popes Bulls, or for Money, ſhall hold Benefices, and alſo thoſe which ſhall uphold Idolatry directly or indirectly, are declared unworthy to be admitted to the Holy Communion of the Lords Supper. As for benefices conferr'd on any Body by right of Patronage, whether it be by Proviſion of the Lord Lay Patron, or by Collation of the Biſhop, Believers are advertis'd not to accept of any that ſhall be given them, under any open or tacit condition of ſervice deditated to the Idol.

CONFORMITY.

This Article being a conſequence and dependance on the former, it has no need of any other Interpretation.

IV.

Printers, Bookſellers, Painters, *and other Tradeſmen, and in general all Believers, eſpecially thoſe who have any*

Office in the Church, ſhall be admoniſhed not to make any thing in their way, as depends directly on the Superſtitions of the Church of Rome. *And as for private Actions, and the corrections proper thereunto, it ſhall be what the Conſiſtory ſhall judge convenient.*

CONFORMITY.

The ſame may be ſaid almoſt of this as I ſaid of the Third, and add withal, That after our Separation from the Church of *Rome* for things which we do not approve, we cannot with ſafe Conſcience practice any of thoſe things which have been the motive and cauſe of our Separation.

V.

Notaries, Secretaries, *and others who by their Offices are obliged to Sign and Seal things indifferently, which are preſented to them, ſhall not be blamed for receiving Teſtaments, paſſing Contracts, and diſpatching Letters of things which concern Idolatry; nor Judges for judging cauſes concerning Eccleſiaſtical Matters, and the Execution of Edicts.*

CONFORMITY.

The Authors of our Diſcipline have prudently permitted thoſe of our Communion, in preferrence to thoſe of the Church of *Rome*, to do all things as may be done without prejudicing ones Conſcience, or indangering Salvation.

VI.

Arbitrators *ſhall not meddle with any Matters that concern Idolatry directly nor Indirectly.*

CONFORMITY.

There needs no other Commentary on this Eſtabliſhment then what I have remarked on the Tenth and Eleventh.

VII.

VII.

Advocates *and* Attorneys *may not plead in cauſes which tend to taking away Preaching and ſetting up Maſs; and generally they ſhall not be ſuffered to give Council to the* Romiſh *Clergy in cauſes which tend directly or indirectly to the oppreſſion of the Church, and true Religion.*

CONFORMITY.

There can be nothing more juſt than to forbid all Perſons of our Religion to Eſtabliſh what we do condemn, and to deſtroy what we ſet up.

VIII.

Neither Biſhops, *nor* Officials, *nor* Arch-Deacons, *ſuch as they are at preſent, have by right, any Juriſdiction, Eccleſiaſtical nor Civil; Nevertheleſs becauſe Believers are ſometimes conſtrain'd to appear before them to gain their Right, which otherwiſe were not to be obtain'd, they may thither make their addreſs, being referr'd by the Magiſtrate, to whom they are firſt to apply themſelves.*

CONFORMITY.

One may and ought alſo ſubmit to all the Juriſdictions Eſtabliſhed in a Country by Conſent and Authority of the Sovereign, eſpecially when one is appointed ſo to do by Order of the Magiſtrate, under this condition nevertheleſs, That the Service of God be not thereby injur'd, nor the Conſcience concern'd.

IX.

Advocates *that are Believers ought not to plead on any account whatſoever, before* Officials, *but only in caſes for which one may proſecute their Right before them according to the precedent Article.*

CONFORMITY.

This Article depending of the former, its needleſs to look for any other Explication.

X.

X.

It is not a thing unlawful in it ſelf to exerciſe Civil Juriſdictions and Procurations under Eccleſiaſtical Perſons, which do not at all concern that which they call the Spirituality.

CONFORMITY.

Seeing it is permitted to acknowledge the Juriſdictions of Eccleſiaſtical Perſons, on certain occaſions, and in the manner above eſtabliſhed, it may alſo be permitted to Exerciſe them.

XI.

Believers may not obtain nor publiſh Monitories, nor Excommunications of the Roman *Church.*

CONFORMITY.

The Proteſtants not acknowledging the Popes Authority to be Legitimate, they ought not to have recourſe to it, Directly nor Indirectly.

XII.

Inaſmuch as it is not lawful nor expedient to go hear the Preachers of the Church of Rome, *or others that intrude themſelves without being lawfully called, the Flocks ſhall be hinder'd by the Miniſters from going thither; and thoſe that will go, ſhall be ſummon'd before the Conſiſtory, and cenſur'd as the caſe ſhall require.*

CONFORMITY.

It's above Thirteen Hundred years ago, that the Council of *Laodicea* made this Decree; *Thoſe which are Members of the Church ſhall not be permitted to go to Church yards nor to Oratories of any Hereticks whatſoever, either to Pray, or to obtain the healing of any Sickneſs; but the Believers that have ſo done ſhall for a time be deprived of the Holy Communion, and upon confeſſing and repenting their fault, ſhall afterwards be reſtor'd again.*

XIII.

Lords, Gentlemen, and others, shall be advertised not to entertain in their Houses, scandalous and incorrigible Persons; and especially if they suffer Priests singing Mass, or discoursing to debauch their Servants, or if they do anew, take, and receive such into their Service.

CONFORMITY.

This Establishment tends only to the purity of Life, and preservation of true Religion, which are things to which every body ought diligently to apply themselves.

XIV.

Fathers and Mothers shall be Exhorted to take great care in Teaching and Educating their Children which are the Seed and Nursery of the Church. And those which send them to the Schools of Priests, Friers, Jesuits, and Nuns, shall be prosecuted by the severest Church Sensures. Those also which put their Children to be Pages, or otherwise, to Lords and Gentlemen of the contrary Religion, shall be advis'd how they do so.

CONFORMITY.

This proceeds from the same principle the other did, and was made by the same Motives, which are Motives very reasonable, and very conformable to the practice of the Antient Church.

XV.

Those who have Brothers, Sisters, and other Relations, who having quitted Monasteries to serve God with a pure and good Conscience, shall be Exhorted to assist them, and to do according to the Laws of Humanity and Affinity.

CONFORMITY.

If Christians are obliged, and they are obliged by the word of God, and by the Ancient Canons, to exercise towards all Men, Works of Charity; of greater Reason

Reaſon ſhould they do them to their near Friends and Relations, eſpecially when they are reduc'd to neceſſity for ſerving God with a good Conſcience, in departing from a Communion wherein they were fully perſwaded they could not be ſaved.

XVI.

Miniſters nor any elſe in the Church, cannot Print Books made by themſelves or others touching Religion, nor any way publiſh them, without communicating them to the Colloque, or if need be to the Provincial Synod, and if the matter require haſt, to the Accademies, or to two Paſtors which ſhall be nominated by the Synod, and ſhall atteſt the Examination by them made of the ſaid Writings.

CONFORMITY.

This Ordinance is very neceſſary to prevent all the evil conſequences as may ſometimes enſue without the Examination therein preſcribed; the ſame thing is done amongſt the Papiſts, whoſe works are commonly approved by ſome Doctors, and at *Rome* by the Maſter of the Sacred Pallace. *See what I have ſaid on the Fifteenth* Article *of the Firſt* Chapter,

XVII.

Thoſe which take Pen in hand to treat the Hiſtories of the Holy Scriptures in Meter, are advertis'd not to mix therein any Poetical Fables, and not to attribute to God the Name of falſe Gods, and not to add nor diminiſh to the Holy Scriptures, but to keep as near as may be to the Stile of it.

CONFORMITY.

This Article will find it ſelf ſufficiently explain'd, by the things I have remarked on the Twelfth Article of the Firſt Chapter, whether I refer the Reader.

XVIII.

XVIII.

The Books of the Bible whether Cannonical, or Appocriphal, ſhall not be transformed into Comedies, nor Tragedies.

CONFORMITY.

This Reſpect is due to the Holy Scriptures, as not to make it ſerve for Subject nor Argument to theſe peeces of Theater, which the Ancient Church has ſecurely condemned, forbidding her Children to be there preſent.

XIX.

Churches where there ſhall be Printers, ſhall warn them not to print Books that ſhall concern Religion or Eccleſiaſtical Diſcipline, without firſt having communicated them to the Conſiſtory to prevent the miſcheifs that have ariſen thereby. The Printers, Stationers, &c. ſhall be warned not to ſell any Books relateing to Idolatry, that may be impious, or ſcandalous, or which may tend to the corrupting of good Manners.

CONFORMITY.

After what I have obſerved on the 2, 3, and 16th. Articles of this Chapter, this doth not require any new interpretation.

XX.

Although the Prieſts do wrongfully uſurp Tythes by reaſon of their Adminiſtration; nevertheleſs they ought to be paid in reſpect to the Kings command, and to avoid ſedition and giving offence.

CONFORMITY.

In that we pay Tythes to the Curate, is an Effect of the obedience we owe to the Ordinance of our King, and a mark of the care our Synods have had in accomodating in indifferent things with thoſe from whom we have ſeparated for meer Conſcience ſake, and not for worldly conſiderations, nor for private Intereſts.

XXI.

Believers ſhall be exhorted not to give any offence in working on faſt days, according to the Edict.

CONFORMITY.

It is alſo by a Principle of Obedience and ſubmiſſion that we obſerve Holy-days, not to offend our Neighbours, and to keep our ſelves up to the Edict under whoſe Rules we live.

XXII.

All Uſuries ſhall be very ſtrictly prohibited, becauſe they are Exorbitants, and many abuſes is therein committed

CONFORMITY.

The Ancient Cannons very ſtrictly prohibited uſury, becauſe it was cruel, and many great crimes were therein committed; Our Diſcipline follows a moderation in declaring that in matter of Lending, one ſhall act according to the Kings Ordinance, and moreover that the Rules of Charity be conſulted.

XXIII.

All violence and unbecoming language againſt thoſe of the Roman *Church, and even againſt Preiſts and Friers ſhall not onely be hinder'd, but alſo wholly ſuppreſſed as much as poſſible may be.*

CONFORMITY.

This Article is grounded on the Goſpel, which puts in the number of Murderers, thoſe which violate their Neighbours by injurious words, and ſhews the diſpoſition we have ever had to live peaceably with our Country-men, not to inſtance in Cannons which forbid all manner of Outrages.

XXIV.

Swearers, who through Cuſtom or Anger take the Name of God in vain, and others who prophane the Majeſty of the Lord, ſhall be grevouſly cenſur'd and after one or two admonitions,

monitions, if they deſiſt not, ſhall be ſuſpended the Lords Table; and outragious Blaſphemers, as alſo Damee's, and the like, ſhall by no meanes be tollerated in the Church, but from the firſt offence, ſhall be cenſured even to ſuſpenſion from the Sacrament, and if they perſiſt, they ſhall be publickly Excommunicated.

CONFORMITY.

The foundation of this Article is taken from the third Commandment of the firſt Table of the Law, *Thou ſhalt not take the Name of the Lord thy God in vain, for the Lord will not hold him guiltleſs that taketh his Name in vain*, After ſo ſtrict a prohibition, and ſo terrible a Comminati-on our Diſcipline had Reaſon to eſtabliſh puniſhments againſt the Infringers of this Commandment, to avoid all blame and reproach, becauſe as *Gregory* the firſt ſays, *Him that corrects not what ſhould be taken away, doth commit it*; Our King St. *Lewis*, made an Ordinance in the year 1270, to banniſh out of his Kingdom, Blaſphemies, and Oaths, whereby the Majeſty of God is criminaly prophan'd.

L. 7. Ind. 2 Epiſt. 6. Tom. 2. Spicil. pag. 548.

XXV.

The Churches ſhall advertiſe Believers both Men and Women to uſe great Modeſty, eſpecially in Apparel, and ſhall give Order to abate the ſuperfluity therein committed: Nevertheleſs the ſaid Churches ſhall make no Law thereabouts, it being a thing appertaining to the Magiſtrate to do; but ſhall give notice to all, that the Kings Ordinances in thoſe Caſes ſhall be diligently obſerv'd.

CONFORMITY.

The remarks I have made on the 20th. Article of the firſt Chapter will ſhew the Conformity of this, with the Diſcipline of the Ancient Chriſtians.

XXVI.

No body can be debarr'd from the Lords Table for wear-

ing any kind of habit that ſhall be of Common uſe and Cuſtom in this Kingdom, but in this rank ought not to be comprehended thoſe which leave the open marks of ſhame, diſſoluteneſs, too much newneſs, as Painting, naked Breaſts, and the like, the Conſiſtories ſhall uſe all poſſible means to ſuppreſs ſuch Diſſolutions by Senſures, and againſt obſtinate Perſons, ſhall proceed to ſuſpending them from the Lords Table.

CONFORMITY.

I ſay the ſame of this as of the former.

XXVII.

Dances ſhall be ſuppreſſed, and thoſe who make account to Dance, or be preſent at Dancing, after having been ſeveral times admoniſhed, ſhall be Excommunicated when they ſhall grow obſtinate and Rebellious. Conſiſtories are ſtrictly enjoyn'd to ſee this Article duely executed, and to cauſe it to be publickly read in the name of the Synods, and the Colloques exhorted to take Notice of Conſiſtories which ſhall not take care, to Senſure them.

Can. 53. CONFORMITY.

The Synod of *Laodicea* about the middle of the 4th. Century made a Cannon againſt Dances, contain'd in theſe Words; *Chriſtians which go to Weddings, muſt not Dance, but let them Dine or Sup civilly, as becomes Chriſtians.*

In the third Volume of the Councils, a like Decree is attributed to the Council of *Lerrida* in the year 524. Though its nothing but the ſame of that of *Laodicea* a little vary'd, but juſt now mention'd. *Herrald* Biſhop Pag. 818. of *Tours* in his Capitulary's of the year 858, in the third Volume of the Councils of *France*, forbids alſo Dances, Cap. 112, 114. pag. 815. not only at Weddings, but alſo on other occaſions; the Frier *Blaſtares* has not in his Collection forgot the Cannon of *Laodicea*, Chap. 7. of the Letter G. pag. 66. St. *Eloy* Biſhop of *Noyon* in the 7th. Century inveigh'd much againſt Dancing, which he put in the number of Deviliſh Diver-

Diverſiſments, as is reported by St. *Owen* in the ſecond Book of his life, chap. 15. *Tom.* 5. ſpirit. pag. 217.

In the year 589 the third Council of *Toledo* had appointed in the 23d. Cannon to exterminate this prophane and Irreligious Cuſtom from amongſt the people, who inſtead of attending diligently on Gods ſervice on Holy-days, ſpent the time in Dancing and ſinging filthy and impure Songs, and the Fathers enjoyn the Biſhops and Judges with care to clear *Spain* from this extravigance. And about the beginning of the V. Century a Council of *Africa* had ordain'd in the 27th Cannon, that the Emperors ſhould be deſir'd to prohibit Dances in the Streets on Days appointed for Celebrating the Memory of Martyrs; In the 6th. Book of the Capitularies of our Kings of the ſecond Race, Dances and Laſcivious Songs were abſolutely forbidden, and it is therein declared that they which ſhall diſobey this Ordinance ſhall ſuffer the puniſhment contain'd in the Cannon, alledging for a Reaſon that they are the remainders of Paganiſm. Tom. 4. conc. pag. 507. Tom. 1. conc. pag. 915.

XXVIII.

Mommery's, and Stage-plays ſhall not be allowed, nor the Ceremony of King Drinks, nor Carnavals, nor Hocus Pocus, ſlight of Hand, and Poppet and Stage players, and Chriſtian Magiſtrates are exhorted not to tolerate them, becauſe theſe things only cauſe loſs of time, and entertains Idleneſs, Curioſity, and Expence. Neither ſhall it be lawful for Believers to aſſiſt at Comedies, Tragedies, Farces, Moralities, and other plays acted in publick or in private, ſeeing that in all Ages they have been prohibited amongſt Chriſtians, as inclining to the corrupting of good Manners, eſpecially when the holy Scripture is therein mingled. Nevertheleſs when in Colledges it ſhall be thought fit that Youth may repreſent ſome Hiſtory, it may be tolerated, provided it ben't contain'd in the Holy Scripture, which is not given to

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be dally'd with, but to be truly Preached, alſo it ſhall be done but very ſeldom, and by advice of the Colloque, which ſhall firſt ſee the compoſition.

CONFORMITY.

There may be apply'd to this Article as to what regards Mummery's, the Liberties of *Shrovetide*, and other the like Paſtimes, what the Fathers have ſaid and done againſt Chriſtians which allow'd themſelves in Libertiniſm after the Manner of Pagans in the Callends of *January* that is to ſay, the firſt day of that Month, who uſed near hand the ſame Sports now practis'd at Carnaval; but to draw to a Concluſion, it ſuffices to refer the Reader to the firſt Cannon of a Synod at *Auxer* in the year 578, to a Homily of *Maximus* Biſhop of *Turin*, and a Writer of the V. Century, Entituled, *A Homily on the Circumciſion of our Lord, or a reprehenſion of the Callends of January:* In this Sermon he explains the Follies and Debauches committed by Chriſtians on that day, and to what St. *Owen* writes of St. *Eloy* in the ſame Chapter cited on the foregoing Article, whereby we find they abandon'd themſelves to very great Extravagancy, they put on Vizards, and put themſelves in the ſhape of ſundry Beaſts, as of Sheep, Stags, Cows, Bears and other Beaſts, to act with greater Liberty and Freedom, until that at laſt theſe extravagancies being reſtrain'd by Eccleſiaſtical and Civil Laws, Chriſtians changed theſe Follies of the Callends of *January*, to the time a little before Lent, as if one were bound to commit Sin, to have greater occaſion of Repentance.

As for the reſt of the Article which concerns Stage-plays, and the Theater, the Ancient Doctors of the Church inceſſantly cry againſt theſe worldly paſtimes; *Tertullian* and St. *Cyprian* have writ whole Treatiſes on purpoſe to divert Chriſtians from them, and has called them

them ſpectacles: *Lactantius*, St. *Baſil*, St. *Cyril* of *Jeruſalem*, *Iſidore* of *Peluſia*, St. *Cryſoſtome*, St. *Auſtin*, has highly condemned them; and *Salvian* in his Treatiſe of Providence, doth vehemently exagerate the evils that proceed from them, and ſaith ſeveral things as may juſtly be apply'd to thoſe amongſt us as do frequent the Theater, and Comedies. Lib. 6. pag. 127. Par. 1669

The third Council of *Carthage* in the year 388 expreſly forbids it in 11th. Cannon. And the 4th. which was aſſembled the year following, Excomunicates in the 81th. Cannon, all thoſe which on a ſolemn day abandon the aſſembly of the Church to be preſent at Stage-plays; therefore in another Council under *Aurelius*, the Fathers of *Africa* reſolved to beſeech the Emperours to prohibit thoſe worldly divertiſments, eſpecially on ſolemn days ſet apart for the Exerciſe of Piety and Religion; The 6th. Oecumenical Council employes to this purpoſe the 51ſt. Cannon at the end of the 7th. Century. Thence it is that the Ancient Diſcipline excomunicates Stage-players, Jeſters, Comedians, and all thoſe as mounted on the Theater to ſhow theſe Divertiſments to the people; and worldings muſt not abuſe what's added at the end of the Eſtabliſhment I examine, ſaving the only ſcope of it was but ſometimes to Exerciſe Scholars in Colledges. Tom. 1. Conc. pag. 710. Ib. p. 730. Ib. c. 28. pag. 915.

XXIX.

All Playes prohibited by the Kings Edicts, as Cards, Dice, and other Games of hazard, and thoſe of covetouſneſs, immodeſty, ſcandal, or notorious loſs of time, ſhall be ſuppreſſed, and the parties reproved and admoniſhed by the Conſiſtory, and Senſured as the Circumſtances ſhall require: Lotteries alſo are not to be allowed, whither tolerated by the Magiſtrate or otherwiſe.

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CONFORMITY.

Tom. 5. Conc. pag. 337. The 6th. univerſal Council made this Decree, contain'd in the 50th. Cannon, *That no Chriſtian whether of the Clergy or Laity, do henceforth play at the game called Hazard, and if any be found doing it, if of the Clergy, that he be depoſed, but if of the Laity that he be Excommunicated.*

XXX.

To be preſent at Feaſts and Collations of Weddings, at Birth and Marriage of Children, made by thoſe of the Romiſh *perſwaſion, is in it ſelf indifferent; nevertheleſs Believers are advertiſed to uſe it to Edification, and to conſider if they are ſufficiently able to reſiſt the diſſolutions and other evils which may there be committed, and alſo to reprove them. In which Feaſts are not compriſed thoſe made by Prieſts at their firſt Maſs, to which it is not lawful to goe.*

CONFORMITY.

The Council of *Loadicea* has proved in the 35th. and 54th. Cannons againſt the debauches which may happen at Feaſts, and has warned Chriſtians not to participate thereof.

As for the Feaſts made by Prieſts at their firſt Maſs, our Diſcipline had juſt reaſon to forbid thoſe of its communion not to be there preſent, becauſe 'twould be in ſome ſort a ſilent approving of a thing which has occaſioned one of the greateſt cauſes of our ſeparation from the *Romiſh* Church, it was by a like principle the Synod of *Laodicea* prohibited Chriſtians in the 37th. 38th. & 39th. Cannons, not to communicate of any thing as they were wont to uſe in the Feaſts of Jewes, Hereticks, and Pagans.

XXXI.

XXXI.

It ſhall by no means be permitted to be preſent at the Feaſts or Weddings of thoſe which to marry a Perſon of contrary Religion ſhall revolt from the profeſſion of the Goſpel. As for thoſe which have been a good while revolted, or are wholly Papiſts, it is at the diſcretion of Believers to do what they ſhall in Wiſdom think convenient.

CONFORMITY.

What I have obſerved at the end of the former Article, may be applyed to this.

XXXII.

Thoſe which challenge or cauſe to be challenged to Duel, or that being challenged accept it, and even kill their Adverſaries, although they might obtain their pardon, or be otherwiſe clared, ſhall be ſenſured to the being ſuſpended from the Lords Supper, which ſuſpenſion ſhall be ſpeedily publiſhed, and if they deſire to be received to the peace of the Church, they muſt make publick confeſſion of their Crime.

CONFORMITY.

Duels being expreſly condemn'd by the Word of God, and by the Laws of our Invincible Monarch its very juſt ſeverely to ſenſure Tranſgreſſors, and all thoſe which paſſing over the Laws of Heaven and Earth, give way to theſe furies and paſſions, which proceed from an inſatiable deſire of anger and revenge.

XXXIII.

Theſe Articles here contained touching Diſcipline are not ſo ſetled amongſt us, but if the good of the Church require it, they may be changed; but it ſhall not be in the power of Miniſters, Conſiſtories, Colloques, and Provincial Synods thereunto, to add, alter, or diminiſh, without the advice and conſent of a Nati nal Synod.

CONFORMITY.

Upon the leaſt knoledge of Eccleſiaſtical Antiquity, it is

apparent that the Conducters of Chriſtian Churches has on ſeveral occaſions done what our Diſcipline tolerates in this laſt Article, and after the manner it preſcribes; thence it is that when there was any queſtion made of a point of Diſcipline which regarded the Churches of the *Roman* Empire all in general, it was only an Oecumenical Council could determine it, as I have made appear on the ſecond Article of the 6th. chap. to which I referr the Reader, moreover it were eaſy to produce ſundry examples of changes made at ſeveral times, in the Ancient Diſcipline; but as 'tis a truth own'd by all the world, I will only touch at the matter of pennance the practice whereof has been various according to the diverſity of times, Councils having therein made ſeveral changes as occaſion has required, as appeares by Reading the Ancient Cannons; ſee what I have writ on the 19th. Article of the 5th. chap. which is that of Conſiſtories. However Eccleſiaſtical Diſcipline ſhould allways be conformable to the genious of the Goſpel, and to the mind of Jeſus Chriſt, and have for its foundation this maxim of St. *Paul*, *That all things ſhould be done decently and in order in the Church of God*: This being ſo, the Chrch has allways had power to change what it thinks fit in matter of Diſcipline, ſeeing that according to St. *Auſtins* remark, the laſt Oecumenical Councils have often corrected the former, its true he ſaith it ought to be done without arrogancy, or pride, without ſtrife or contention, wirh o ſpirit of love and charity. For the Rule of faith remaining entire, ſaith *Tertullian*, the reſt which relates to Diſcipline, admits the novelty of Correction by means of the grace of God, which operates and makes farther progreſs in us to the end,

Lib. 2. de Bapt. c. 3. Tom. 7. p. 40.

F I N I S.

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FINIS.

Liptines vulgarly *Leſtines*, was a Royal Houſe in the Dioceſs of *Cambray*.

Vernum Palatium, was another betwixt *Compiegne* and the Monaſtry of St. *Dennys*; and if I have called it *Vernum* in ſome places of this Work, it is becauſe *Vernum* has more likeneſs to *Vernon* than to *Vermeuil*; In the main, whatſoever it is called, it is known 'tis not *Vernon* on the River *Sein*.

Forum July, *Fruil* in *Auſtria*, Urbs *Carnorum*.

Editions of ſome BOOKS I have made uſe of.

The Library of the Fathers ——— Paris 1664
The Tomes of General and particular Councils,— ibid. 1636
The Councils of France *by* Sirmond——— ibid. 1629
Supplement of the Councils of France.——— ibid. 1666
The Code of the Canons of the Univerſal Church which Contain the Canons of the Council Nice, *of* Auryra, *of* Neoræſaria, *of* Gangre, *of* Antioch, *of* Laodicea, *of* Conſtantinople, *of* Epheſus, of Chalcedonia——— Paris 1661
The African *Code*——— ibid. 1661
Euſebius *his Eccleſiaſtical Hiſtory*——— ibid. 1659
Socrates *and* Zoſomen——— ibid. 1668
Theodoret, Evagrius, Theodous *Lector*——ibid. 1673